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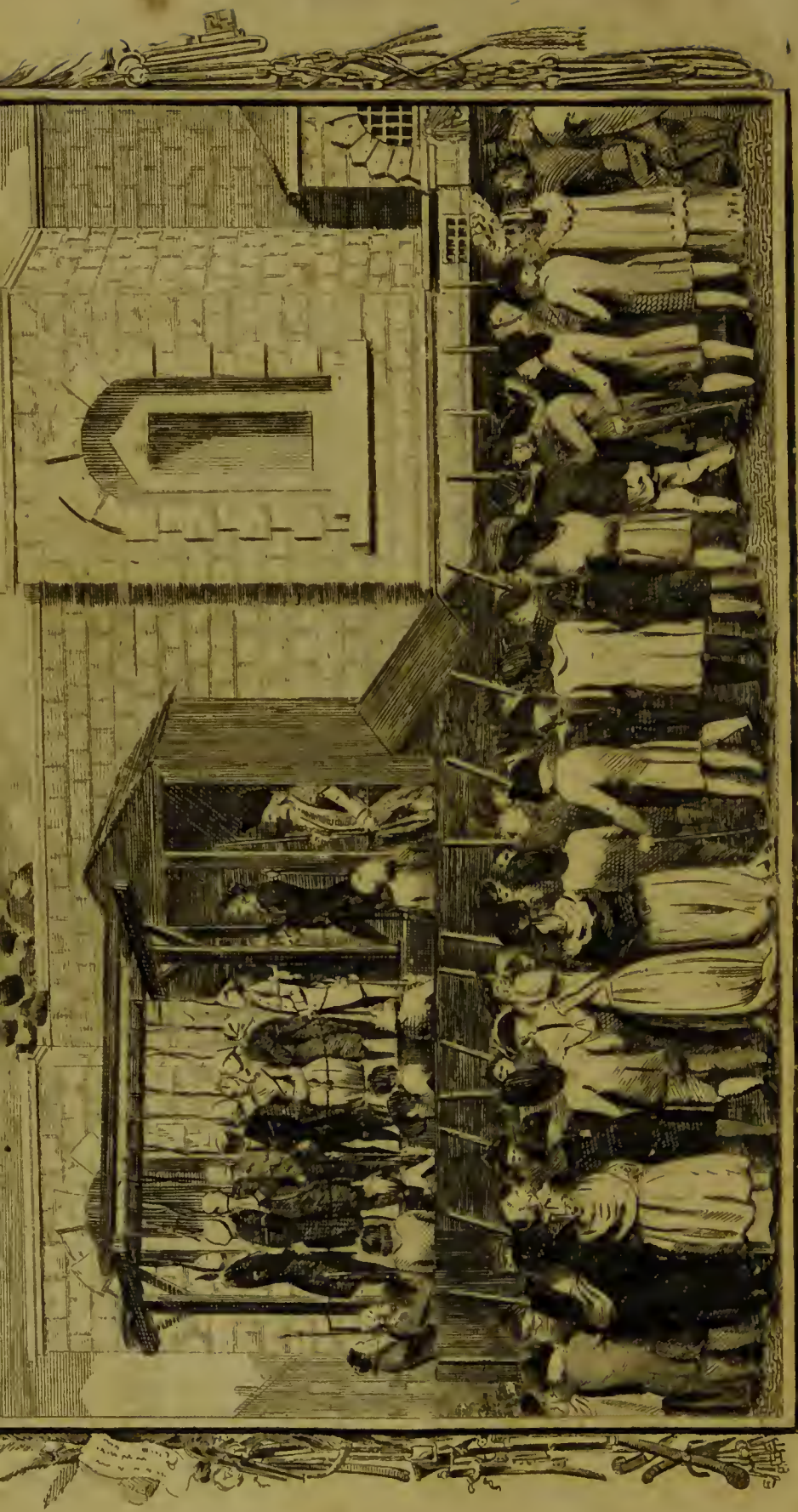
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*An Exact Representation of the Manner of EXECUTING CRIMINALS, on the NEW SCAFFOLD and GALLOWES, opposite the New Goal of NEWGATE, in the OLD BAILEY — ten Malefactors hanging thereon.*

THE  
NEW AND COMPLETE  
**Newgate Calendar;**  
OR,  
**MALEFACTOR'S BLOODY REGISTER.**

CONTAINING

New and Authentic Accounts of all the Lives, Adventures, Exploits, Trials, Executions and Last Dying Speeches, Confessions, (as well as Letters to their Relatives never before published) of the most Notorious *Malefactors* and others of *both Sexes* and *all Denominations*, who have suffered *Death* and other *Exemplary Punishments*, for

Murders,	Forgeries,	Rapes,	Swindling,
Burglaries,	Highway Robberies,	Writs Mobbing,	High Treason,
Felonies,	Footpad Robberies,	Sodomy,	Petit-Treason.
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Bigamy,	Piracies,	Sheep Stealing,	Misdemeanors.

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By **WILLIAM JACKSON, Esq.**

Of the Inner Temple, Barrister at Law; Assisted by other Gentlemen.

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How dreadful the Fate of the Wretches who fall,  
A Victim of Laws they have broke!  
Of Vice, the Beginning is frequently small,  
But how fatal at length is the Stroke!  
The Contents of these Volumes will amply display  
The Steps which Offenders have trod;  
Learn hence, then, each Reader, the Laws to obey  
Of your Country, your King, and your God.

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**V O L. VI.**

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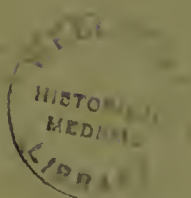
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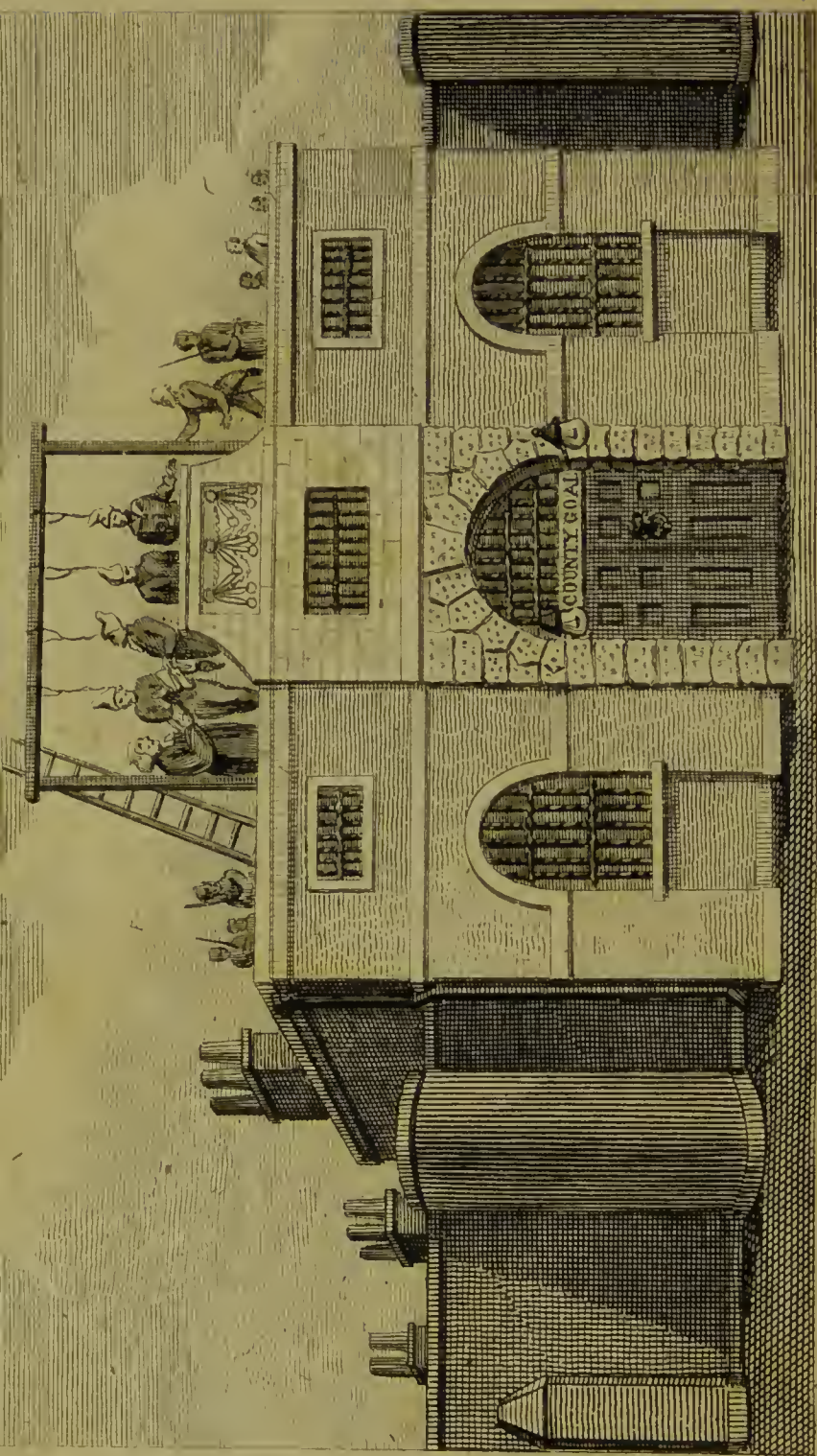
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## S U P P L E M E N T.

IN Order to maintain the distinguished Reputation of THE NEW NEWGATE AND TYBURN CALENDAR, (which has been rendered in the Course of the Publication far superior to any Old Work of the Kind) the EDITOR has presented the Public with the following Particulars, and intends in future to continue this useful and entertaining Work, by adding the most remarkable Trials as they occur, together with a genuine Account of each notorious Offender.



*An authentic Account of the Reverend Mr. JAMES HACKMAN, who suffered at Tyburn for the Murder of Miss REAY.*

IT was a just observation of Solomon, “that there is nothing new under the sun;” and yet there are some events of so sudden, so striking a nature, that when they happen in our own time, and within the compass of our observation, they affect us more than when we read of them in ancient authors; such is the case before us, and an affecting one it is.

Mr. James Hackman was born at Gosport in Hampshire, and originally designed for trade; but he was too volatile in disposition to submit to the drudgery of the shop or counting-house. His parents, willing to promote his interest as far as lay in their power, purchased him an ensign’s commission in the sixty-eighth regiment of foot. He had not been long in the army when he was sent to command a recruiting party, and being at  
c
Huntingdon,

Huntingdon, he was frequently invited to dine with a noble Earl, well known in the political world. Here it was that he first became acquainted with Miss Reay, who lived under the protection of that nobleman.

This Lady was the daughter of a stay-maker in Covent-Garden, and served her apprenticeship to a mantua-maker in George's-Court, St. John's-Lane, Clerkenwell. She was bound when only thirteen, and in 1760, when she was eighteen, her apprenticeship being expired, she was discharged with a fair character. She was soon after taken notice of by the nobleman above-mentioned, who took her under his protection, and treated her with every mark of tenderness. No sooner had Mr. Hackman seen her than he became enamoured of her, and finding he could not obtain preferment in the army, he turned his thoughts to the church, and entered into orders. Soon after he entered into orders, he obtained the living of Wiverton in Norfolk, which was only about Christmas preceding the shocking deed which cost him his life, so that it may be said he never enjoyed it.

It is probable that Mr. Hackman imagined that there was a mutual passion, that Miss Reay had the same regard for him as he had for her. Love and madness are often little better than synonymous terms, for had Mr. Hackman not been blinded by a bewitching passion, he could never have imagined that Miss Reay would have left the family of a noble Lord at the head of one of the highest departments of the state, in order to live in an humble station. Those who have been long accustomed to affluence, and even profusion, seldom chuse to lower their flags. However, he was still tormented by this unhappy, irregular, and ungovernable passion, which in an unhappy moment



moment led him to commit the crime for which he suffered.

Miss Reay was extremely fond of musick, and as her noble protector was in an high rank, we need not be surprized to find that frequent concerts were performed both in London and at Hinchinbrook; at the latter place Mr. Hackman was generally of the party, and his attention to her at those times was very great. How long he had been in London previous to this affair is not certainly known, but at that time he lodged in Duke's-Court, St. Martin's-Lane. On the morning of the 7th of April, 1779, he sat some time in his closet, reading Dr. Blair's sermons; but in the evening he took a walk to the Admiralty, where he saw Miss Reay go into the coach along with Signiora Galli, who attended her. The coach drove to Covent-Garden theatre, where she staid too see *Love in a Village* acted. Mr. Hackman went into the theatre at the same time, but not being able to contain the violence of his passion, he went home to his lodgings, and having loaded two pistols returned to the play-house, where he waited till the play was over: seeing Miss Reay ready to step into the coach, he took a pistol in each hand, one of which he discharged against her, which killed her on the spot, and the other at himself, which however did not take effect.

The moment she fell, Mr. M'Namara, a gentleman who was going to hand her into the coach, laid hold of her, thinking she had fallen into a fit by the report of the pistol; but he was soon convinced of his mistake when he found himself bloody, and so sick that he was not able to stay any longer than to see the body carried into the Shakespeare tavern, where it lay till the coroner's inquest was taken.

In the mean time Mr. Hackman's wounds were dressed, and he was committed by Sir John Fielding to Tothill-fields Bridewell, and then to Newgate, where a person was appointed to attend him, lest he should have laid violent hands on himself. In Newgate, as he knew he had no favour to expect, he prepared himself for the awful change he was about to make. He had dined with his sister on the day the murder was committed, and in the afternoon wrote a letter to her husband, Mr. Booth, an eminent attorney, acquainting him of his resolution of destroying himself, desiring him to sell what effects he should leave behind him to pay a small debt; but this letter was not sent, for it was found in his pocket.

His trial came on before Judge Blackstone, and he was found guilty upon the clearest evidence. In his defence he made use of the common plea of insanity, or at least of having no intention to murder Miss Reay, but that could avail him nothing, seeing he had two loaded pistols. He heard the dreadful sentence pronounced with more fortitude than could have been expected, and being conducted back to Newgate, behaved with a becoming decency under his unhappy circumstances. On the morning of his execution he got up a little after five, dressed himself, and spent some time in private meditation. About seven he was visited by Mr. Boswell, and some other friends, with whom he went to the chapel and received the sacrament. When he came out of the chapel and was haltered, he seemed to be much shocked, which is not much to be wondered at. The reverend Dr. Porter, and Mr. Vilette, the Ordinary, went into the Coach along with him, accompanied by Mr. Brent, the sheriff's officer.

During

During the whole of the procession he seemed much affected, and said but little ; and when he arrived at Tyburn and got out of the coach, and mounted the cart, he took leave of Dr. Porter and the Ordinary. After some time spent in prayer he was turned off, and having hung the usual time, his body was carried to Surgeons-Hall.

Such was the end of a young gentleman, who might have been an ornament to his country, the delight of his friends, and a comfort to his relations, had he not been led away by the influence of an unhappy passion.

He was executed on the 19th of April, 1779.

As the letter, intended for his brother-in-law, and his Defence, are of an interesting nature, and will serve to throw some light on the causes which produced his unhappy end, we shall present our readers with the following genuine copies.

## L E T T E R.

“ My dear Frederick,

“ When this reaches you I shall be no more, but do not let my unhappy fate distress you too much : I have strove against it as long as possible, but it now overpowers me. You well know where my affections were placed ; my having by some means or other lost her’s (an idea which I could not support) has driven me to madness. The world will condemn me, but your good heart will pity me. God bless you my dear Fred. Would I had a sum to leave you, to convince you of my great regard : you was my only friend. I have hid one circumstance from you, which gives me great pain. I owe Mr. Knight, of Gosport, 100*l*. for which he has the writings of my houses ;  
but

but I hope in God, when they are sold, and all other matters collected, there will be nearly enough to settle our account. May Almighty God bless you and yours with comfort and happiness; and may you ever be a stranger to the pangs I now feel. May heaven protect my beloved woman, and forgive this act, which alone could relieve me from a world of misery I have long endured. Oh! if it should ever be in your power to do her an act of friendship, remember your faithful friend,

J. HACKMAN."

### D E F E N C E.

I should not have troubled the court with the examination of witnesses to support the charge against me, had I not thought that the pleading guilty to the indictment gave an indication of contemning death, not suitable to my present condition, and was, in some measure, being necessary to a second peril of my life; and I likewise thought, that the justice of my country ought to be satisfied by suffering my offence to be proved, and the fact established by evidence.

I stand here this day the most wretched of human beings, and confess myself criminal in a high degree; yet while I acknowledge with shame and repentance, that my determination against my own life was formal and complete, I protest, with that regard to truth which becomes my situation, that the will to destroy her who was ever dearer to me than life, was never mine till a momentary phrensy overcame me, and induced me to commit the deed I now deplore. The letter, which I meant for my brother-in-law after my decease, will have its due weight as to this point with good men.

Before this dreadful act, I trust nothing will be found in the tenor of my life, which the common charity



charity of mankind will not excuse. I have no wish to avoid the punishment which the laws of my country appoint for my crime; but being already too unhappy to feel a punishment in death, or a satisfaction in life, I submit myself with penitence and patience to the disposal and judgment of Almighty God, and to the consequences of this enquiry into my conduct and intention.



Account of THOMAS HILLIARD, who was tried for setting *Fire* to his House, and acquitted on a Point of Law.

THE case of this man being not only recent, but likewise singular, merits a place in this Work, although the person accused was not found guilty. Thomas Hilliard had been several years a Porter at the Royal Exchange Assurance Office, and likewise went on errands for Bankers, Merchants, and Tradesmen in that neighbourhood. He was Parish Clerk of St. Mildred in the Poultry, and the Rev. Mr. Bromley employed him to collect his Tithes for him—Had he not been considered as a man of integrity, he would never have been intrusted with an office upon which the support of a clergyman depended, and so far as it appears, he kept his accounts regular, without injuring any one. However, be that as it will, on March 16th 1779, while he lived in Bird-in-Hand Court, Cheapside, his house was discovered to be on fire, and he himself went to the watch-house and gave information of it to Mr. Washington, the constable of the night. Hilliard, who was himself a constable, at the same time, seemed much frightened, and begged that an engine might be sent for. Mr. Washington, and one Mr. Bagwell, went to view the premises, and found there

was

was much smoke on the stairs, but could not discover any fire. Upon further enquiry it was discovered that there was a pitch barrel in a closet, which had been set on fire, so that there arose some suspicion that it had been done by Hilliard himself; upon this he was apprehended, and carried before Alderman Hart at Guildhall, where in some respects he behaved like one subject to temporary fits of insanity; for he wanted to confess more than he was charged with. Every thing of this nature, whether real or imputed, raises an indignation in the minds of the people; and to enhance the guilt of the prisoner it was given out that he had a considerable sum of money in the funds, and that he had set fire to his house in order to defraud the Assurance Office.—All this, however, turned out to be false, for he was not worth a shilling, having spent what trifle he had by gambling in the lottery. All the circumstances alledged against him were proved on the trial; but here the glory and humanity of the English laws stood in his defence.—It is a maxim in law, that when the life of a man is at stake, every error, every trifling circumstance that seems to create a doubt, shall be construed in his favour.—This is not done to encourage guilt, but to preserve the persons of whose guilt there may be some doubt. Thus it was proved that the closet where the fire was discovered, did not make part of the dwelling-house, according to Stat. Hen. VIII. Cap. 1. Sect. 3. so that he was acquitted. From some circumstances that came out in the evidence, it would appear that this man laboured under some sort of religious melancholy; but from what motives he really acted must be left to unerring wisdom to determine—As the law has acquitted, let the charge against him be forgotten. He was tried at the Old Bailey April 17th, 1779.

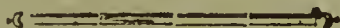
*Account of JOSHUA CROMPTON, who was tried and executed for a Forgery on the BANK of ENGLAND.*

ON Friday, July 31, 1778, his trial came on at Guildford, for the above-mentioned crime. There were two charges of Forgery laid in the indictment, viz. "For forging a 20l. bank note, dated May 5, 1773, No. 56, marked K. payable to Thomas Harris, Esq; or bearer, on demand, purporting to be a bank note, signed by the governor and co. of the Bank of England, and subscribed Thomas Grant." It was also stated as "a promissory note from the governor and co."

A great number of witnesses were examined on this occasion; after which, and the evidence being closed, the Jury found him guilty; in consequence of which, he was executed at Gangle-green, near Guildford, in the county of Surrey. After his arrival at the place of execution, he behaved steadily and penitent, acknowledging his crime, and owning his guilt, continually praying to God to forgive the person who artfully drew him over to England after he had made his escape from the New-Gaol in the Borough, and was the means of hanging him for ten guineas, after he had assisted him in his escape.

Thus this person fell a victim to an inordinate thirst for money, which instigated him to commit a crime extremely dangerous to public credit and private property, and which could only be expiated by an ignominious death.

He was executed Aug. 20, 1778.

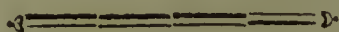


*A brief Account of THOMAS BOULTER, the noted Highwayman.*

THIS man had for a considerable time infested the western counties, where he had committed several daring robberies; but was at length apprehended near London, and committed to New Prison, Clerkenwell, from whence he found means to make his escape, and renew his depredations on the public. He committed several robberies in Hampshire, and was become the dread of that part of the kingdom; so that Sir John Fielding thought proper to send some of his men in pursuit of him, who took him, July the 4th, 1778, at the Greyhound inn, at Bridport, in Dorsetshire. He was afterwards tried and convicted at Winchester, and found guilty on two indictments. The audacity of this adventurer was so great, even after his above-mentioned escape from prison, as

to prompt him to go low down into the west, where he was universally known, and rob many people; which gives room to reflect, that iniquitous practices, sooner or later, meet with the worst of wages; and villainy, though it may prove successful for a time, yet seldom fails to involve the perpetrators in certain ruin; for notwithstanding the judge, to the surprize of every person in court, recommended him to mercy,

He was executed at Winchester, Aug. 19, 1778.



*An authentic Relation of JAMES MATHISON, who was tried at the Old Bailey, for a Forgery upon the Bank of England.*

HE was tried on Thursday, the 20th of May, 1779.— There, perhaps, never appeared in any court of justice so capital nor so ingenious a man in his style as this person. His practice for some time past had been to go to the Bank, and take out a note: this he counterfeited, passed the copy, and after some time returned the original. His frequent applications at length exciting suspicions, which were increased by his appearance in life, and other circumstances, he was taken up. When brought before Justice Fielding, he was there known to be the person charged with forgeries upon the bank at Darlington. The particular forgery now charged on him, was, for making and uttering a note for payment of 20l. with intent to defraud Mr. Mann of Coventry, and the Bank of England. The note was produced in court, and witnesses were brought to prove its having been negotiated by him.

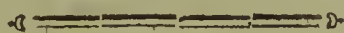
This fact being established, the next circumstance in consideration was, to prove that the note was absolutely a counterfeit one. This his prosecutors were totally unable to do, by any testimony they could adduce; so minutely and so dexterously had he feigned all the different marks. The note itself was not only so made as to render it altogether impossible for any human optic to perceive a difference, but the very hands of the cashier and the entering clerk were also so counterfeited, as entirely to preclude a positive discrimination, even by these men themselves. The water-mark too, namely, Bank of England, which the bankers have considered as an infallible criterion of fair notes, a mark which could not be resembled by any possible means, was also hit off by this man, so as to put it out of the power of the most exact observer to perceive a difference. Several paper-makers were of opinion that this mark must have been put on in the making of the paper;



paper; but Mathison declared that he put it on afterwards by a peculiar method, and known only to himself.—The extreme similitude of the fair and false notes had such an effect upon the Judge and Jury, that the prisoner would certainly have been discharged for want of evidence to prove the counterfeit, if his own information, taken at Fielding's, had not been produced against him; which immediately turned the scale, and he was found guilty.

He was executed at Tyburn, pursuant to his sentence, on July 28th, 1779. At the place of execution, he made a speech, which took up some minutes; wherein he acknowledged his guilt, and hoped for forgiveness from the Almighty. He also warned others to avoid the crime for which he suffered, and forgave his prosecutors.

Such was the fatal and untimely end of a man, who, if his talents had been laudably employed, might have proved an ornament and use to society; but which being abused to the base and illegal purposes of fraud and injustice, made him obnoxious to that severe punishment which the laws of his country affix to a crime so highly detrimental to the public and individuals. Which instance, with many others of a similar kind, prove the truth of the observation in scripture, that “a little which the righteous possesseth, is better than all “the riches of the ungodly.”



*Some Particulars of JOHN SPENCER, who was executed at Nottingham, for the wilful Murder of William Yeadon, Toll-collector, and his Mother, at Scrooby Turnpike.*

THE commission of this horrid crime being proved upon him, it will be sufficient to add, that he confessed, on the morning of his execution, that the two persons he had accused, as accomplices, were entirely innocent of the fact, and that *he* only committed the shocking murders for which he was going to suffer:—That he was at the turnpike early in the evening on which he committed the fact; went away from thence and wandered about the common till late, when he returned and knocked at the turnpike-house, pretending he had some beasts to go through; and as soon as William Yeadon opened the door, he knocked him down with a hedge-stake, and repeated his blows till he was nearly dead; he then went in, took his watch; went up stairs, where the mother was in bed and asleep, and with the same weapon killed her also.

For this atrocious deed, detestable both to God and man and which always cries to heaven for vengeance, he was

Executed at Scrooby turnpike, and hung in chains near the spot.



*A Short Account of Miss ELIZ. WATKINS, for the Murder of her own Child.*

**S**HE was charged with the murder of her natural child, and tried for the same at the sessions in the Old Bailey, September. 1779; but the evidence produced by the witnesses to prove the fact not being sufficiently strong to criminate her,

She was acquitted.



*Account of JOHN BENFIELD, WILLIAM TURLEY, and MARY WILLIAMS, for Coining.*

**I**NDICTMENTS being found against these offenders, they were tried, Jan. 14. 1780, for feloniously and treasonably coining and counterfeiting the current silver of this realm, called shillings, sixpences, and half-crowns, at a house in White's-alley, Chancery-lane.—The two men pleaded innocence, pretending to have been decoyed into the house; and said, if they suffered, it would be as innocent persons. However, as there was no doubt that the sentence was just, they were all condemned; the two men to be hanged, and the woman to be burnt, after having been previously strangled.

As scarce any crime can be attended with greater inconvenience to the community in general, and many individuals of the lower class, than this; so none calls for a more exemplary punishment. Idleness and profligacy are the common fore-runners of this and most other heinous crimes, which, if continued in, are sure to be followed, sooner or later, with destruction and shame; to both which, the want of moral honesty, and a disregard to salutary laws, expose multitudes of unthinking mortals, most of whom ascribe their ruin to one or both of the above-causes, and an unhappy fondness for vice and vicious company.

John Benfield and William Turley were executed Jan. 12, 1780; but Mary Williams was reprieved, and pardoned.

*Authentic*



*Authentic Account of ELIZABETH BUTCHILL, who murdered her Female Bastard Child.*

**T**HIS unfortunate young woman was a native of Saffron Walden in Essex, born of honest and industrious parents, and had lived for a considerable time with her aunt, who was a bed-maker belonging to Trinity college. Till the unhappy affair which brought her to so ignominious an end, she was generally esteemed for the decency and modesty of her conduct; and it is much to be lamented, that a mistaken fear of shame should have induced her to commit an action at which nature shudders, the destruction of her own offspring.

The following are the particulars of the shocking murder perpetrated by this malefactor, as they appeared on the coroner's inquest, and on the trial.

On Friday the 7th of January, 1780, about 11 in the morning, the body of a new-born female infant was found in the river near Trinity-college bogs; which was immediately taken out, and a coroner's jury summoned to sit on the body.

Mr. Bond, a surgeon, deposed, that he examined the body, when he found the head swelled and bruised, the skull fractured in several places; that on opening the body, the lungs appeared distended, and were on trial specifically lighter than water; and that he was of opinion the child was born alive, and received its death by the wounds in the head.

Esther Hall, the wife of William Hall, brewer to Trinity college, whose dwelling house was within the college gates, at no great distance from the place where the child was found, deposed, That her niece, Elizabeth Butchill, had lived about three years with her in the capacity of a bed-maker in the said college: that about three o'clock in the morning of the 6th inst. she heard her niece groan very much, and, getting up to enquire into the cause, found her complaining of a violent cholic; that she heated some peppermint-water, &c. and gave to her, with some hot flannels, which seemed to give her ease: that, about six in the morning, the said Esther Hall went to college, leaving her niece in bed, where she found her on her return about ten o'clock.

William Hall, husband to the said witness, hearing a child had been found, suspected the said Eliz. Butchill, and sent for a surgeon to examine her. In her voluntary confession, taken before the mayor and Dr. Ewin, and read to the jury, she confessed that she was delivered of a female child on Thursday morning about half past six o'clock, by herself; that the child cried some little time after its birth; and that in about twenty minutes

minutes after, she herself threw the said infant down one of the holes of the necessary into the river, and buried the placenta, &c. in the dunghill near the house. Upon this evidence the jury brought in their verdict Wilful Murder, but did not charge the said Elizabeth Butchill as the mother; she was therefore committed to the castle on her own confession, as soon as she could be removed with safety.

On Wednesday morning she was tried before Judge Buller, when her voluntary confession being produced, and many corroborating circumstances appearing in evidence, the jury found her guilty, and the judge passed sentence on her in a very pathetic and affecting manner. When the unhappy culprit, in extreme agony, solicited mercy, his lordship told her, that as she had been deaf to the cries of the innocent, and, stifling the strong ties of maternal affection, had been the murderer of her child, it was impossible for mercy to be extended to her in this world; he therefore exhorted her to seek for a sincere repentance, and sentenced her to be executed the succeeding Friday, and her body to be anatomized.

From the time of her commitment she was in a bad state of health; but her behaviour was modest, patient, and penitent. A worthy clergyman visited her daily, and administered the sacrament to her, when she was perfectly resigned to her fate, and acknowledged the justice of her sentence. In the evening before her death, she took an affectionate leave of her friends, and passed the night tolerably composed, except at intervals, when she seemed to be deprived of her senses.

In the morning of the fatal day, the before-mentioned clergyman attended her to the place of execution, where her behaviour was firm, resigned, and exemplary. She joined with the minister in prayer, and sung the lamentation of a sinner, with marks of a sincere penitent, declaring she had made her peace with God, and was reconciled to her fate. Desiring her example might be a warning to all thoughtless young women, and calling on Jesus Christ for mercy, she was launched into eternity amidst thousands of commiserating spectators, who, though they abhorred the crime, shed tears of pity for the unhappy criminal.

She was a decent plain young woman, about 22 years of age, and, before this unfortunate affair, bore a good character for her modest behaviour.

The murder of infants born in bastardy has of late years become so general in this kingdom, as to be a disgrace to humanity. Many instances there doubtless are where this horrid crime has been committed without suspicion, and the  
murder

murder is known only to the perpetrator, and to the Almighty; and too frequently it happened, that where the crime has been discovered, from a deficiency in the evidence the criminal has escaped.

May the melancholy end of Elizabeth Butchill be an example, an awful example, to deter all mothers, in the like unfortunate circumstances, from being the secret murderers of their children; to teach unthinking females to be on their guard against the possible consequences of unlawful love; and, where they have been unfortunately deluded, not to add crime to crime, by suppressing the tender feelings of a mother, and, instead of the protector, become the murderer of the helpless innocent.—If her untimely end shall prevent a similar crime, or bring one hardened sinner to repentance, she will not have died in vain.

She was executed at Cambridge, March 17, 1780.

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*Account of JAMES BURNET, for Murder.*

**H**E was one of those violators of the laws in being, who, contrary to the statute in that case made and provided, presume to destroy and take the game in different parts of the kingdom. Being detected in this unlawful practice by Thomas Hewitt, game-keeper to the Duke of Richmond, and ordered to deliver up his gun, he refused, and, on the duke's servant approaching to take it away, he shot him dead on the spot. This happened at Goodwood in Essex, in Dec. 1779. Burnet was then in company with one Dilloway, who not being concerned in the murder, escaped punishment. Burnet was tried for the wilful murder of the said person, Mar. 20, 1780; but some circumstances appearing in his favour, from the suddenness of the fact, he was found guilty of manslaughter, sentenced to be burnt in the hand, and imprisoned 12 months in Horsham gaol.

Though his punishment for this crying sin has been thus mitigated in an earthly court, yet as a more awful indictment at the bar of divine justice stands out against every such offender, it is hoped sincere repentance will be granted, lest a worse punishment, without the least mercy, fall upon them; for, whatever men may think, the day is approaching, when every secret and open sin, unatoned for and unrepented of, shall undergo a strict and impartial scrutiny at that awful bar

“Where the bad meet punishment, the good reward.”

*Account*



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*Account of JOHN KNIGHT, for Murder.*

AS crimes which affect the property of the community in general have been the particular object of the British legislature, who have from time to time enacted wholesome laws, and inflicted severe punishments against the perpetrators thereof; so none can come more properly under this denomination than that of smuggling or dealing in uncustomed goods, inasmuch as it is extremely detrimental to the fair trader, as well as to his Majesty's revenue. This practice Knight had been carrying on for some time; and on the 26th of Feb. 1780, having, with some other smugglers, met two dragoons at Whitstable, near Canterbury, he assisted in shooting them. Being apprehended, on the 16th of March following he was tried at Maidstone assizes for the fact, found guilty, and afterwards executed on Pennington Heath.

Thus we find, in this and numberless other instances, that "the wages of sin is death;" and that evil company and examples plunge many inconsiderate mortals into destruction; whilst, on the contrary, the happiness and tranquillity which a life of sobriety and industry affords to others, prove to a demonstration, that 'honesty is the best policy,' and 'virtue 'is its own reward.'

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*An authentic Account of the dreadful RIOTS which happened in the Beginning of the Month of June, 1780, and the destructive Effects thereof.*

WERE it not that facts put the matter beyond a doubt, it would seem almost incredible that such horrid devastation, which we shall here give some account of, could be committed by a gang of lawless miscreants, and also increase for several days together, in the very heart of the kingdom, and its capital, to the terror of all ranks and orders of people.

This alarming commotion took its rise from a resolution of the Protestant Association, of which Lord George Gordon was president, to address the parliament, by petition, in order to obtain a repeal of the act lately made in favour of the Roman catholics; which petition was agreed to be accompanied to the parliament-house by the whole body of subscribers. Accordingly on the 2d of June they assembled in St. George's Fields, in four divisions, to the amount of at least fifty thousand, and proceeded from thence to the house of parliament, where

where having waited till the members came, some of them were very roughly treated by them; particularly the abp. of York, the lord president, lords Mansfield and Stormont, bp. of Lincoln, Welbore Ellis, Esq; Mr. Strahan, &c. The rabble even attempted to force their way into the house of commons, so that the members could scarcely get in or out. Lord Geo. Gordon endeavoured to disperse them, by telling them, their gracious king would give them relief, and that their petition would be heard on Tuesday.

The mob now formed themselves into parties, some going to the Romish chapel in Duke-street, Lincoln's-inn-fields, and others to that in Warwick-street, Golden-square, both which buildings they in a great measure soon demolished. Thirteen of the rioters were taken and lodged in prison, and the tumult for the present subsided.

On Sunday afternoon the rioters attacked the chapel and dwelling-houses of the Roman catholics in Ropemakers-alley, Moorfields, the furniture and fittings-up of which they burnt. They now declared their resolution of releasing the people confined in Newgate for the violence committed at the Sardinian and Warwick-street chapels.

On Monday, the mob growing more formidable, the chapels in Virginia-lane, Wapping, and Nightingale-lane, East-Smithfield, were destroyed by several parties. Mr. Rainsforth, of Stanhope-street, and Mr. Maberly, of Long-Acre, who had given evidence against those who had been taken, had their houses stripped, and the contents committed to the flames; and the house of Sir Geo. Saville shared a like fate.

On Tuesday the military were ordered upon duty at both houses of parliament, St. James's, the Tower, &c. Notwithstanding which, the earl of Sandwich, in his way to the house of Lords, was dragged from his carriage, and with difficulty rescued by the foldiers. Lord G. Gordon afterwards desiring the people to disperse, they took the horses from his carriage, and dragged his lordship to his house in Welbeck-street.

After destroying the house of justice Hyde, near Leicester-fields, a party of the rioters broke into Newgate, set fire to Mr. Akerman's furniture, which they had thrown into the street; and afterwards burnt the gaol itself, which had lately been erected at an immense expence, the walls being only left standing; and released about three hundred prisoners.

The same night, a party of these desperate ruffians set fire to earl Mansfield's house in Bloomsbury-square, which was entirely consumed, with a collection of very valuable pictures, and (an irreparable loss to the present age and posterity) 300



manuscript volumes of notes on great law cases, and the constitution of England and privileges of parliament, (the last of which his lordship had just transcribed for the press) after having been collected with unremitting assiduity by this great luminary, and also many very scarce manuscripts, were sacrificed to the fury of an ungovernable mob! The military did not arrive in time to prevent the mischief, but, in dispersing the mob, killed six men and a woman, and wounded many others. The house of justice Cox in Great Queen-street, and of Sir John Fielding in Bow-street, they also destroyed, and set at liberty all the prisoners in New-prison, Clerkenwell.

At the close of Wednesday was exhibited one of the most awful and dreadful spectacles ever seen in the metropolis; for they destroyed by fire the King's Bench and Fleet prisons, the toll-house on Blackfriars-bridge, two houses of Mr. Langdale, an eminent distiller in Holborn, one at the bottom and the other near the Bars, besides several dwellings of Roman catholics, so that the inhabitants were terrified at the sight of many different fires (some say twelve or upwards) burning at the same time in the middle of the night, and the streets were crowded with persons moving their goods, scarcely knowing where to go for safety. The insurgents had likewise declared their determination of destroying the Bank, Gray's-inn, Lincoln's-inn, the Temple, the grand arsenal at Woolwich, the royal palaces, &c. &c. It now became necessary to exert the royal prerogative, and give the military discretionary power.

For the protection of the Bank, guards were stationed before that building, and within the Royal Exchange, St. Paul's church, inns of courts, &c. and at the water-works belonging to the New River company and London-bridge, both which last had been threatened with destruction. The rioters made two attacks upon the Bank, and one upon the Pay-office; in which attempts many persons were killed and wounded by the soldiers. Two men and a boy were shot in the Fleet-market; three men were shot dead upon Blackfriars-bridge; numbers killed themselves by excessively drinking non-rectified spirits at Mr. Langdale's distilleries; others burnt to death or buried in the ruins, from which about 20 of these wretches were dragged out, many of them being dead. The same scenes of shocking intemperance happened at several other places, and were attended with the like dreadful effects.

Some disturbances happened in the Borough, where several individuals suffered considerably in their property; but the rioters were soon dispersed by the military; as they also were at lord Mansfield's fine seat at Caen-wood, Hampstead.

The

The following is a general view of the trials of the rioters, under a special commission granted for that purpose: In London and Middlesex—Tried, 84; found guilty, 34; respited, 15; executed, 19; acquitted, 50. In Southwark—Tried, 50; found guilty, 24; respited, 18; executed, 7; acquitted, 26. Besides the above who were executed, the return published of those who were killed by the soldiers amounted to 210, and 75 died in hospitals: in all, 285; and upwards of 2000 were set at liberty from the several gaols.

The sessions at the Old Bailey, at which the London rioters were tried, began June 29th, and ended on the 11th of July following, when 34 were capitally convicted.—At St. Margaret's-hill sittings, held by special commission, and which ended July 20th, 50 persons were tried as rioters, of whom 24 were capitally convicted.

It is necessary to observe, that there was not one man of character or condition, of any description, who abetted the rioters in the commission of such dreadful enormities; nor any man among the associated Protestants, who was either tried or taken up on suspicion, except the imprudent young nobleman, (afterwards tried and acquitted) whose intemperate zeal precipitated him into measures which he was far from imagining would be productive of those dreadful consequences, by which the whole metropolis, and its environs, were thrown into a state of convulsion unparalleled in the annals of history.

We must here observe, that the enormous outrages committed by these abandoned wretches were so numerous and terrifying, and the further mischiefs dreaded from their menaces were so tremendous, that (as was remarked of one of the cruel Roman emperors) one would almost think Divine Providence had suffered them to run such shocking lengths, to shew what horrid excesses the human mind is capable of, when left to its own evil bias without restraint.—But the punishment due to such heinous crimes soon overtook many of them, though it is to be feared not all of the most guilty; since many imprudent and over-curious persons, by mixing with the principal actors, had involved themselves in the same punishment. But however, the sufferings of some of the most notorious offenders, at the same time that it may serve as an example of terror to evil doers, sufficiently proves that how daringly soever wickedness may triumph for a season, it will draw after it the punishment justly due to the transgression of human laws, and, without repentance, an obnoxiousness hereafter to the vengeance of the Almighty.

The names of the malefactors, with the times and places of their execution, are as follow :

William Macdonald, Charlotte Gardiner, and Mary Roberts, were executed July 11th, at Tower-hill; Wm. Brown, in Bishopsgate-street; and William Bateman, in Coleman-street.—On the 12th, Thomas Taplin and Richard Roberts, in Bow-street; and James Henry, on Holborn-hill.—On the 13th, Enoch Fleming, in Oxford Road.—On the 20th, John Gamble, at Bethnal Green; Sam. Solomons, in White-chapel; and James Jackson, in the Old Bailey.—On the 21st, Thomas Price, James Burn, and Benjamin Waters, in Old-street; and George Staples, and Jonathan Stacey, in Moorfields.—On the 22d, Charles Kent, and John Grey, in Bloomsbury-square.

Borough rioters, executed August 9, 1780, in St. George's Fields: Robert Lovell, Mary Cook, Edw. Dorman, Olive Johnson, Eliz. Collings, Henry Penny, and John Bridport, who all behaved in a very becoming manner,



*Account of ABRAHAM DARNFORD, and WILLIAM NEWTON, for assaulting James Watts, the Bankers' Clerk.*

THIS extraordinary affair happened Aug. 5, 1780, at No. 21, in Water-lane, Black Friars, which house Darnford and Newton hired, after it had been empty for some time. A note payable at this house, and which became due on the above day, had been previously left with Mess. Smith, Wright, and Gray, bankers in Lombard-street. Their clerk, a young man about 18 years of age, came to the house for the money: they opened the door, and on his entering collared him, attempted to gag him, and drag him down into the cellar. Finding their intention was to murder him, by an extraordinary effort he got from them, and ran to the street-door; this being locked, they again seized him, and attempted to drag him back, having previously barricaded the cellar windows, and fixed double doors on the stairs, so as to prevent the hearing the cries of any person put therein. But his screams being providentially heard by Mrs. Boucher, who kept the Gladiators Arms on the opposite side of the way, she ran over to his relief, and thundered at the door; which being fast, she burst open the lower sash window, and got so far in as to see the transaction in the passage, and to seize and secure Darnford. Newton jumped out of a one pair of stairs window, but, being immediately pursued, was overtaken and brought back.

There



There have been several instances of bankers' clerks being missing, who have been supposed to abscond with the property entrusted to them; but it is more than probable that they have met with a fate similar to that which had so nearly befallen the above-mentioned clerk.

They were tried at the Old Bailey, Sept. 17th, for the assault on the said clerk, and robbing him of a pocket book containing notes and bills to the amount of about 4000*l.* and were condemned chiefly on the evidence of Mrs. Boucher, as Mr. Watts, being a quaker, refused to give evidence on oath.

As Darnford had defrauded many people in a very singular manner, and as the method which he took to do it was not only very injurious to the parties respecting their property, but also productive of much confusion and distrust between the country and London correspondents; it may not be improper, for the satisfaction of our readers, and detecting the like practice in future, to give a few particulars of the means he made use of for carrying his villainous designs into execution. In a paper delivered to the ordinary at the place of execution, he informed the public as follows:

"The method I chiefly put in practice, was, forging the post-mark of different towns, which I put on a piece of paper made up as a letter, and then went to the inns where the coaches came, and heard the parcels called over; then went to a neighbouring public-house, and wrote the direction on the letter the same as was on the parcel I had fixed on. The book-keepers seeing the direction the same, and the post-mark on it, usually gave me what I asked for, on paying their demand." He then gives the following instance, among several others:

"In Sept. 1777, I obtained a parcel from Norwich, directed to Mess. Smith, Wright, and Gray. which contained bills to the amount of 500*l.* and upwards; one of them, for 216*l.* 5*s.* was drawn on Mr. Gaussen, in St. Helen's, which I carried for acceptance, and prevailed on him to give me the cash for, allowing him the discount: I wrote John Watkins on the bill, and likewise on the draft, which Mr. Gaussen paid me: the amount I received in cash at the bank of England. Two more of the bills I left for acceptance, and the others I destroyed."

He had also been concerned in taking from carriages, inns, &c. boxes, trunks, portmanteaus, &c. which if on opening he found contained no cash, or materials worth keeping, he always sent according to the directions. By these means he

was

was enabled to purchase several houses, which produced an income of about 120*l.* per annum.—He denied having had the least thought or intention to murder the clerk; and that he never divulged his intentions concerning the fact to Newton; who also, in a paper delivered to the minister before execution, solemnly declared he was only employed by Darnford on pretence of confining an evidence for an hour or two, that he might not appear on a trial against him.

They were both executed at Tyburn, Nov. 22, 1780.



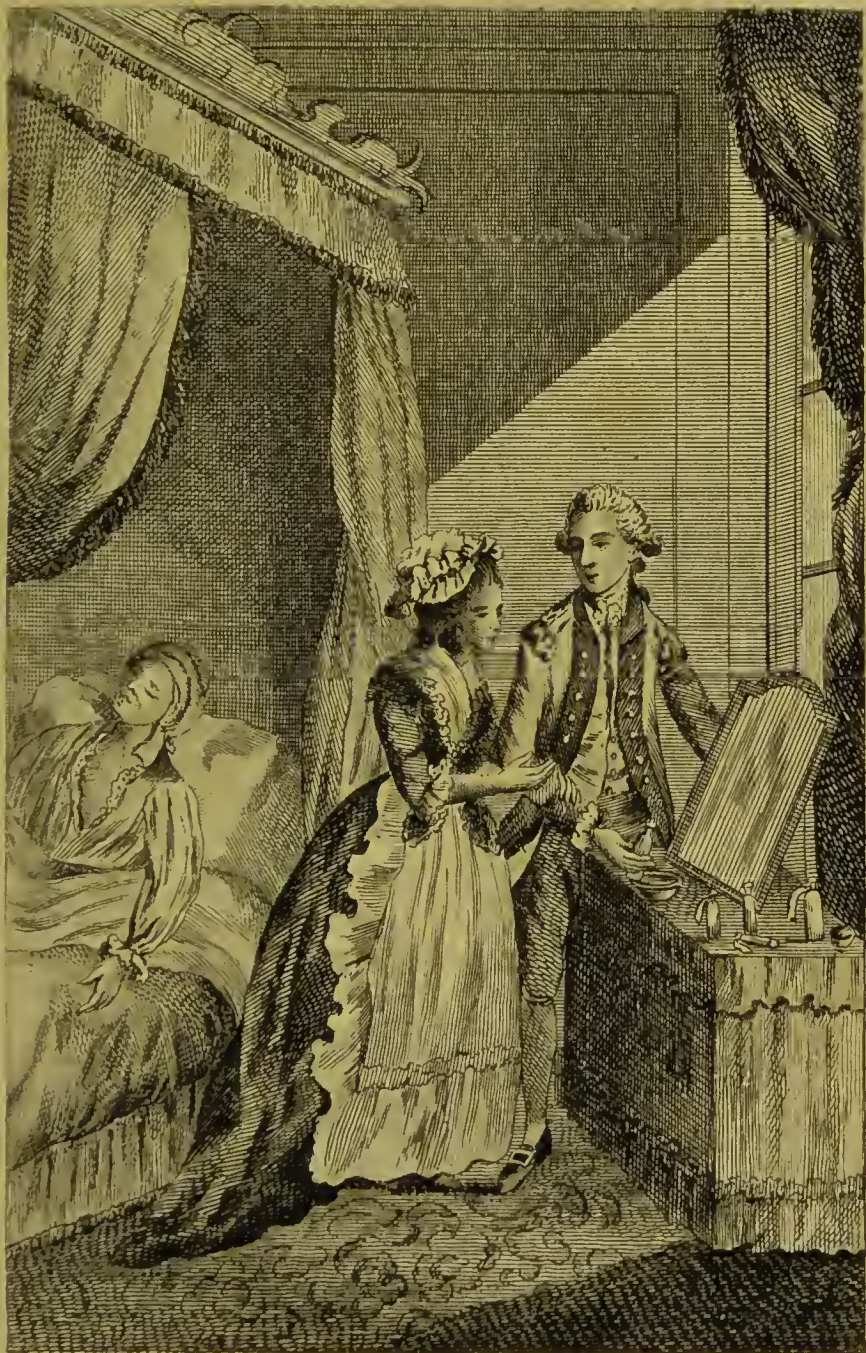
*Authentic Particulars of JOHN DONELLAN, Esq; who was executed for the Murder of Sir Theodosius Boughton, Bart.*

CAPT. Donellan entered very young into his Majesty's service; and in 1757 went to Madras in the E. Indies, where he was a subaltern in the 39th regiment, commanded by capt. Aldercorn. He continued in the service here till 1759, when he and some other officers were dismissed, pursuant to the sentence of a court martial, for seizing and retaining the effects belonging to the garrison and black merchants of Mazulipatam, the capital of Golconda, after they had capitulated. This disgraceful sentence putting an end to his military character, he embarked for England, to obtain a reversal of it; but without effect.

After his return to England, being unhappily under the controul of irregular propensities, his fortune soon became greatly injured; but he still reserved a sum sufficient to purchase a share or two in the Pantheon, which, his embarrassments increasing, he was obliged to sell under great disadvantages. Play and gallantry, the ultimate subterfuges of dissipation, wholly engrossed his time and thoughts. His universal intercourse with polite prostitutes was well known, and tended to increase his consequence: his connection with a married lady was also the subject of much conversation, her house, table, servants, and carriages being at his command. He was a great, but generally an unsuccessful gamester.

He first met with lady Boughton, and her daughter, at the Pantheon in London. The young lady being in possession of a handsome fortune, attracted his notice, and occasioned him to shew the most unremitting assiduities and attention to the ladies, till having at length made an impression on the daughter not unfavourable to his wishes, they agreed to make each other happy by an elopement and clandestine marriage. This affair exasperated the lady's relations for some time, till,





*Captain Donallan rinsing the Bottle after  
poisoning Sir Theodosius Boughton?*

*Account of the Trial, &c. of WM. MEYER, Esq; for Murder.*

ON the 18th of Oct. 1780, Joseph Spinke, a bailiff's follower, had been left with Mr. Meyer, after he had been arrested, till next morning, when the bailiff was to go to Kirkhaminton, the seat of the prisoner's father, for bail or money to pay the debt. About ten at night, after the prisoner and his wife had whispered together, she went out and brought in a pair of pistols under her apron, and gave them to her husband, saying, "There are your pistols, to fulfil your foolish humour." He ordered them to leave the room; which they refusing to do, he fired and shot Spinke in the neck, the ball went thro' the windpipe. Thomas Meyer instantly said, "Now, Mr. Meyer, you have done for yourself." The servant-maid, on hearing the pistol, ran up stairs and met her mistress, who exclaimed, "By the Lord God, here is a man killed." Meyer was secured: Spinke died in a few hours, forgave the prisoner and his wife, but laid his death to their charge.

They were both tried for this fact at York assizes, Mar. 20, 1781, when Wm. Meyer, Esq; was sentenced to die for the same on the 22d of the same month; but afterwards obtained a respite, which did not avail him long.

His behaviour at the last was very unsuitable to his awful situation: he severely accused his wife, and thought his sentence hard; nor had he such an affecting sense of his crime as to repent of it as became him, but wasted his few remaining moments in a light and trifling manner.

It is our hearty and sincere wish, that a due and timely reflection on the denunciations of the Almighty against this and other heinous crimes, and the ignominious punishments inflicted on those who are guilty of them, may deter men from such evil practices; and that, instead of attacking the lives and property of others, sobriety and industry may take place, and every laudable pursuit render them valuable and useful members of the community. And for the obtaining this last-mentioned desirable disposition, it is the interest and happiness of every one to seek that true wisdom which comes from above, and employ it to the most noble and useful purposes, lest, by an abuse of the talents committed to our trust, we incur a curse instead of a blessing, and at the last be rejected, by the judge of quick and dead, as wicked and unprofitable servants.

He was executed at York April 6, 1781, having been respited from March 22d till that time.

*Account*



*Authentic Particulars of FRANCIS HENRY DE LA MOTTE, who was tried, convicted, and executed for High Treason.*

**T**HIS gentleman was indicted for procuring, with the assistance of his agent Lutterloh, an accurate narrative of the general situation of the British navy, and sending the same to the French; by which information they were enabled to counteract and defeat the measures concerted in the British cabinet. The discovery of the fact was made in January, 1781; when the papers in his possession leading thereto were seized at his lodgings in Bond-street.

He was tried for the above crime on the 14th of July following, when it appearing, upon the evidence of a variety of witnesses, but more especially from his own papers which had been seized, that under disguised appellations he had given intelligence to the enemy of the names, strength, number, time of sailing, destination, &c. of the several fleets and ships belonging to the British navy; and other particulars relative to the state of the politics in this country:—The jury, after withdrawing for a few minutes, returned, and pronounced him guilty of High Treason.

Treason, and rebellion, are crimes offensive to God, and injurious to mankind. The king is God's viceroy, whom we are exhorted to honour as such. If we wish to be happily and quietly governed, we should revere and pray for the sovereign. If we are true patriots, we shall use our utmost endeavours to promote the welfare and prosperity of the state, which may be termed our political parent.

On the 27th of July he was conveyed on a sledge from the Tower to Tyburn, where he was executed pursuant to his sentence.

If persons guilty of high treason were not naturally rebels against the Almighty, so as to set his sacred laws and precepts at defiance, their hearts would revolt at embarking in it; since God has commanded all men to honour the king as supreme, and to behave with becoming duty and respect to all who are in authority under him. The government of England is confessedly the result of a most excellent constitution, composed of king, lords, and commons, and, having the most wise and salutary laws, is calculated for procuring the true and permanent interest of every individual thereof; so that every attempt made to subvert its laws, religion, and policy, is not only criminal, and injurious to the community, considered in a public point of view, but is also replete with the basest ingratitude in every subject and inhabitant, whether  
f foreigner

foreigner or native, who enjoys the peculiar advantages this well-formed state affords.—And we may add, that, after all; the person who seeks to enrich or aggrandize himself by such unlawful acts, for which his conscience condemns him, can never expect to be happy, even should he attain to the accomplishment of his wishes; for we are informed, by the infallible pen of inspiration, that “the wicked are like the troubled sea, which cannot rest, whose waters cast up mire and dirt;” and that the man who becomes, by his treacherous conduct, an enemy to the country in and by which he lives, will not only carry about him a little hell in his own heart, but be scorned and shunned by every person of virtue and honour, not excepting those who employed and paid him; for it is a true remark, that though people may love the traitor, they seldom fail to hate the traitor!



*Account of GEORGE WESTON, otherwise SAMUEL WATSON, and JOSEPH WESTON, otherwise JOSEPH WILLIAM WESTON, otherwise WILLIAM JOHNSON, who were tried for robbing the Mail, and taking thereout several Bank Bills and a Lottery Ticket. George Weston and Joseph Weston were acquitted. But*

GEORGE Weston was likewise indicted for forging the acceptance of a bank post bill in the name of a clerk in the bank; and the fact being proved on the evidence of an officer in the bank, and others, he was found guilty.

Joseph Weston, the other accomplice in the above robbery, was tried for firing a loaded pistol at John Davis, and wounding him in the face and neck, as he was attempting to apprehend him for breaking out of Newgate. The jury brought him in guilty of the charge.

Robberies of this kind are confessedly very hurtful to trade, as well as individuals; and are generally ventured upon by the most daring and abandoned. The other crimes these men embarked in, and for which they suffered, evince the spreading nature of vice, which sooner or later plunges its votaries into irretrievable misery and ruin.

They were both executed at Tyburn, Sept. 4, 1782.



*An authentic Summary of the Trial of JOHN and JANE GRAHAM, for Forgery.*

THE crime of which these persons were accused was, the altering a 15l. bank note to 50l. by means of a stamp cut in wood.

They

They were apprehended by the servant of the governor of Tothill-fields Bridewell, at the Coach and Horses at Southampton; and brought up to London to take their trials at the Old Bailey; where the crime being fully proved against them, they were both condemned.

Craft and deceit are indications of a corrupt and debased heart, of which forgery is the degenerate offspring. The danger of this practice being no less great in itself, than injurious to society; the authors of it frequently reap the bitter fruit of their misemployed talents, by the just severity of the law against them.

John Graham was executed for this forgery on Oct. 16, 1782. But Jane Graham, his wife, was respited, and afterwards obtained a free pardon.

*A brief Account of JOHN EDMONDS and CHARLOTTE GOODALL, for a House Robbery.*

THEY robbed the house of Mrs. Frances Fortescue. Goodall was a servant in the house, and had several times robbed her mistress; to conceal which, she had procured Edmonds and two other men to commit the robbery. But it being suspected that she was an accomplice, the fact was soon after proved on the trial, chiefly by the evidence of her fellow-servant, Eliz. Sterne. Edmonds and Goodall accordingly received sentence of death for the same, and were executed at Tyburn, Oct. 16, 1782.

Unfaithfulness to those whom it is our duty conscientiously to serve and obey, is a heinous sin: but this affords a true picture of the heart of man, which is "deceitful *above all things*, and desperately wicked." An enemy without the walls may be guarded against and repelled; but an enemy within the citadel, being less suspected, is on that account the more dangerous and offensive.

*Account of JOSEPH CADDIE and JOHN STUNNEL, for a Robbery, attended with Circumstances of Cruelty.*

THEY were tried and cast on the evidence of Milbourne, an accomplice. They robbed some passengers in a post-chaise and pair below the turnpike near Battle-bridge, and wounded a gentleman in the hand in a desperate manner with a cutlafs.



Wanton and unprovoked cruelty gives some men a near resemblance to the devil, who was a murderer from the beginning, and who now, as a roaring lion, goeth about seeking whom he may devour.

They were both executed at Tyburn, Sept. 16, 1782, the Monday after their condemnation,

*Relation of FRANCIS GRAY, for Murder.*

THIS man, in company with William Milbourne, Joseph Caddie, and John Stunnel, mentioned in the preceding account, was apprehended and tried for attacking three men and a boy near Islington, one of whom Gray shot with a pistol. He was convicted upon the evidence of Milbourne, an accomplice in the robbery, who proved, to the satisfaction of the court, that Gray committed the murder as above-mentioned. He denied having an intention to kill the deceased, and persisted to the last moment that the pistol went off by accident. The jury, however, found him guilty.

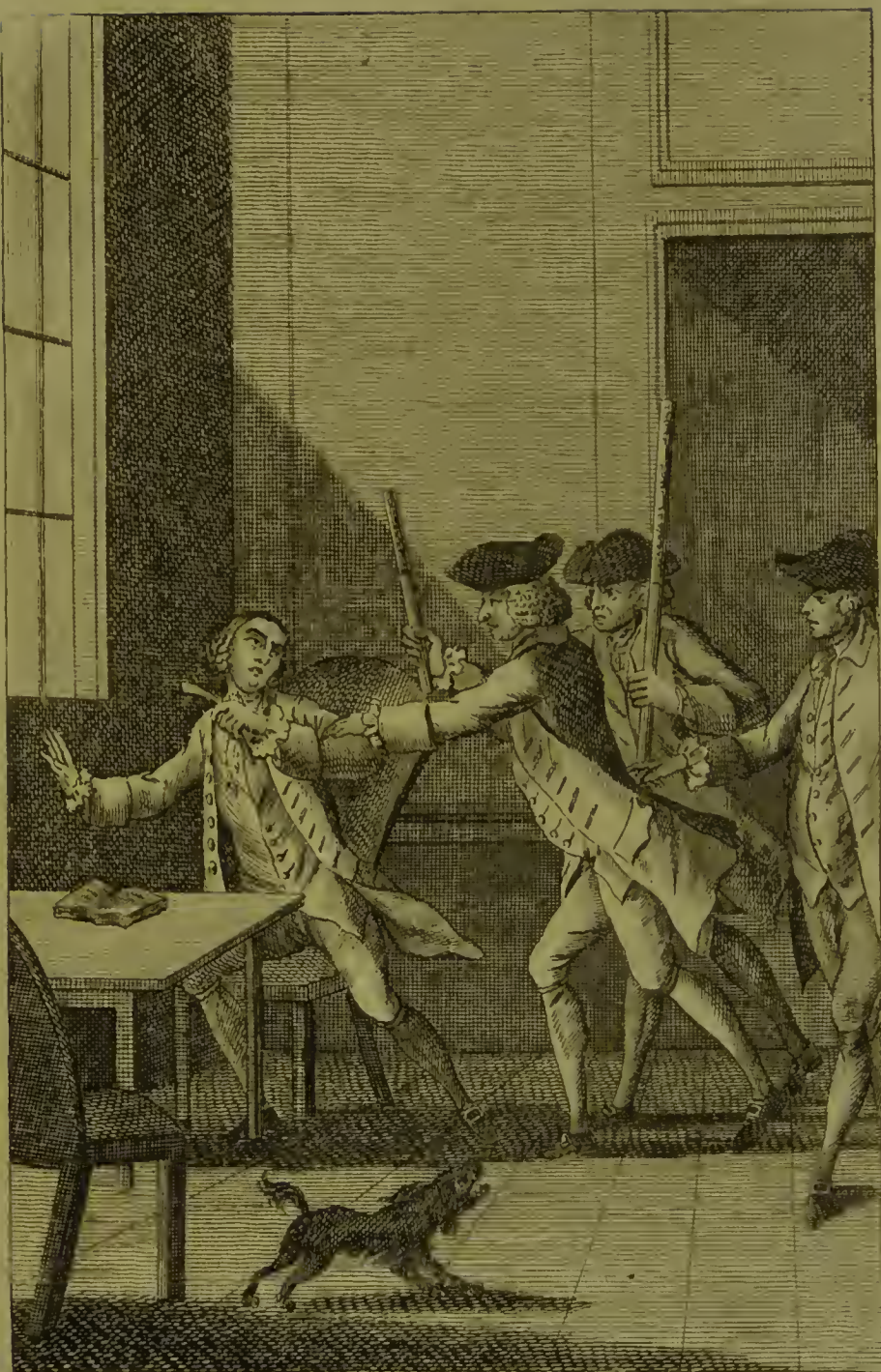
Men who go on in a mad career of wickedness, are like a heavy stone rolling down a steep hill, which it is impossible to stop; in like manner they who enter upon bad courses begin with smaller crimes, till the hardened heart drives them on to greater; thus, in the above instance, robbery led to murder, when death and destruction finally closed the dreadful scene.

He was executed at Tyburn, Oct. 12, 1782.—His behaviour was stupid, nor did he give himself the least concern for his situation,

*Account of DANIEL MACGENNIS, for Murder.*

HE was tried and convicted at the Old Bailey, for the murder of Mr. Hardy, of Newgate-street, in whose house he lodged. This melancholy affair was occasioned by Macgennis throwing some foul water out of his window upon the skylight over the room where Mr. Hardy was sitting at tea. This imprudent act giving offence to Mr. Hardy, he went up stairs to Macgennis, and reproved him for it; whereupon the latter, being incensed, drew a knife out of his pocket, and thrust it into Mr. Hardy's left side, of which wound he immediately expired upon the stairs. The jury pronounced him guilty, principally on the evidence of the two servants, Mary Decrow and Adey Lancashire.





Ryland Cutting his throat on Sight of the  
Officers of Justice.



In this case we see the dire effects of passion, which often changes men of the most amiable qualities into devils. How ought such men to watch over their own spirits; to be open to reproof, and not render evil for evil! "Watch and pray, (says our Saviour) lest ye fall into temptation."

He was sentenced to be executed on Monday, Jan. 29, 1783; but, in consideration of the excellent character given him, by several reputable noblemen and gentlemen, for charity, humanity, and good-nature, he received a respite for fourteen days, and afterwards a pardon on condition of being imprisoned in the King's Bench for two years,

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*Authentic Relation of WILLIAM WYNNÉ RYLAND, for Forgery.*

HE was tried at the Old Bailey, and found guilty of forging and uttering a bill upon the East India Company for 210l. The servants of the Company not producing sufficient proof of his having uttered the bill, he was convicted by several circumstances which the Jury and Court adjudged sufficient to fix the fact upon him. The case of this gentleman was the more unhappy, as he informed the Court, in his defence, that he was able to pay 20l. for every 20s. he owed, possessed 7000l. in the Liverpool water-works, 10,000l. stock in trade, had 200l. per annum pension from the King, and made 2000l. a year by his profession, which was that of an engraver. On his being apprehended, he cut his throat, but the wound did not prove mortal.

What pity is it that the gift of ingenuity, which some men are amply endowed with, should be prostituted to the basest and most nefarious purposes! It is a just remark of Montaigne, "If men would take half the pains to be honest, which they employ to be knaves, they might enjoy the comforts of life with safety and reputation." This man's affluent circumstances greatly aggravated the criminality of his offence; and shews us, that a life of pleasure and prodigality, if persisted in, will unavoidably terminate in poverty and disgrace; and although sin, obstinately persisted in, will always meet with its punishment, yet God has promised that they who sincerely repent of, and forsake their sins, shall find mercy.

He was executed the 29th of August, 1783, and was the last criminal that suffered at Tyburn.



*Account of JOHN BURKE, for Robbery.*

**H**E was tried for robbing Thomas Fellowes, Esq; a justice of peace, as he was returning in his carriage from the County-hall in Clerkenwell-green to his house at Uxbridge; the robbery was committed by Burke, and two others, at a place called Brent Bridge. The person of Burke being positively sworn to by the prosecutor, he was capitally convicted.

This unhappy man afforded one instance, among a number of others, of the pernicious and fatal effects of evil company and bad examples, both which unite together in drowning multitudes in destruction and perdition.

This malefactor was executed Dec. 9, 1783, with nine others, who were the first that suffered on the new gallows before Newgate.

*Account of JOHN CLARKE, for Murder.*

**T**HIS unhappy wretch was found guilty of the murder of one Johnson, at the Hoop and Bunch of Grapes public-house in Ratcliff Highway. It appeared on the trial, that on the 5th of November, at nine o'clock, Clarke went into the tap-room of the said house. reached across the table, and run a knife into the belly of the deceased, who died in the hospital of the wound, after lingering two days. This melancholy deed seemed to be the effect of liquor, and the dreadful consequence of a quarrel that had previously subsisted between the parties.

Idleness and intemperance are twin vices, and prove to many the high road to destruction. The former paves the way to dishonesty and dissipation; while the latter renders them the willing slaves of the devil, and their own furious and disorderly passions and lusts.

He was executed Dec. 22, 1783.

*Authentic Particulars of JOHN ASH, for Forgery.*

**T**HIS young man was tried for personating Tho. Eaton, a silversmith in Salisbury-court, Fleet-street, in whose name he sold 57<sup>l</sup>. 16s. 3d. four per cent. Bank-stock, the property of the said Mr. Eaton. He was convicted chiefly

on the evidence of Mr. Benjamin Hatwell, the broker whom he employed to transfer the stock.

In this person's case, as in that of many others, the observation in scripture was verified, namely, that "the (inordinate) love of money is the root of all evil," by coveting to obtain which in an unlawful manner, some men have pierced themselves through with many sorrows, and have at length ended their lives with misery and shame.

He was executed on the 4th of March, 1784.

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*Account of THOMAS WHITE, for a Robbery.*

HE was in the service of lady Forrester, in Portland-street, whose house he caused to be robbed of plate and other valuables, early in the morning of Sunday the 9th of May. In order to conceal his being a party in this piece of villainy, he suffered himself to be tied hand and foot; in which condition the watchman found him, when he entered the house. Being taken up on suspicion and examined, he was on the trial fully proved to be a principal in this atrocious affair. He made no defence.

There cannot be a greater token of a depraved heart, than when men betray the trust and confidence reposed in them. Such are the most dangerous members of society; for, as "ingratitude is worse than the sin of witchcraft," consequently when that odious quality is complicated with a species of villainy injurious to a friend, benefactor, master, or mistress, they form a character too detestable to be described, and which is justly deemed punishable to the utmost rigour of the law.

He was executed July 27, 1784.

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*Account of JOHN BRANTON and CHARLES GANLEY, for Robbery.*

THESE men were tried for robbing the house of Mrs. Thompson, at Islington, into which they rushed, after pretending to be sent with a letter to one Miss Young. There were five or six in the gang, one of whom, named Haskey, turned evidence. John Branton was found guilty, and received sentence of death; and Charles Ganley was acquitted.

Wrong

Wrong and robbery are two fore evils, and if not timely relinquished by repentance and amendment, will infallibly lead the perpetrators of them to the chambers of death. The salutary advice of scripture is, "Let him that stole, steal no more; but rather let him work with his hands the thing that is good."

John Branton was executed July 27, 1784.

*Account of WILLIAM HOLMES and JOHN MASH, for a Burglary.*

ON the 23d of June they broke into the house of Mr. Hamilton, an innkeeper at Endfield, and stole plate and other things of value. They were detected by William Pratt, the servant, whose room they entered when he was awake. He immediately alarmed his fellow-servants, and Holmes was taken not far from the house. Mash was afterwards apprehended by one of Justice Wilmot's men. Holmes was pronounced guilty, death; Mash, not guilty.

House-breaking is a most desperate species of robbery. Those who engage in it may fitly be compared to Satan, who in an inauspicious hour broke into the garden of Eden, stripped our first parents of their innocence, and filled the world with violence and rapine. Thieves and robbers, therefore, are of their father the devil, and the works of their father they will do; but all such enjoy short and unsatisfying pleasure, to which long woe frequently succeeds. And in the mean time, while such persons are carrying on their depredations on the public, they cannot but at times, unless intirely hardened, be subject to the stings of an accusing conscience, which severely condemns the guilty. The terrors of an agonizing conscience have in many instances been so intolerable, that the atrocious offender, unable to support the violence of divine wrath, has often laid violent hands on himself: but this desperate expedient will prove at length; to all such, only the beginning of sorrows.

Holmes was executed on the first of Sept. 1784.



*Account of RICHARD EDWARDS, ROBERT MOORE, JOHN SHELLEY,  
and JAMES NAPIER, for Robberies, &c.*

**R**ICHARD EDWARDS was capitally convicted for assaulting the Hon. Keith Elphinston, near the theatre in the Haymarket, and forcibly taking from him a gold watch, gold seal, &c. Robert alias John Moore, for assaulting Mrs. Arabella Jeffreys, near St. James's gate, and snatching from her head-dress a cluster-diamond pin. John Codd, for a street-robbery on Samuel Ellison. John Shelly, for being concerned, with others, in rescuing and carrying away 350lb. which had been seized by an excise officer. James Napier, for robbing Albina Hobart, near the opera-house, of a diamond ear-ring, by tearing the same from her ear, but which, slipping out of his hand, fell into her handkerchief. These unhappy men joined the ordinary in fervent devotion, who recommended them to the divine mercy, which if they had before sought diligently, they would have escaped their dreadful doom.

They were executed at Newgate, with William Holmes, before-mentioned, 1st of Sept. 1784.

*HENRY MORGAN, for a Murder and Robbery.*

**T**HIS unfortunate malefactor was found guilty of robbing Mr. Charles Linton, on the highway, in the parish of St. Martin in the Fields, and afterwards stabbing him in the belly with a case knife. The judge, before pronouncing sentence, told him, among other things, "You have deprived the wife of her husband, the children of a father, and both of their protector: you have reduced an innocent family to misery and distress, and deprived them of that support, or forced them to seek it from the public, which they derived from the honest industry of the deceased." Soon after the ordinary quitted the scaffold, this wretched criminal continued to repeat, in an impassioned tone of voice, "Oh my God, forgive all my sins; Lord have mercy upon me; Christ Jesus receive my soul." And while uttering these ejaculations, soon, after a few convulsive struggles, became motionless. He was a melancholy instance, among others, of those who, having respectable relatives and friends, pursue such destructive courses as compel the justice of the laws to cut them off as corrupt members of society, and disturbers of the public tranquillity.

He was executed on Sept. 20, 1784.

*SAMUEL HARRIS and JOHN NORTH, for Piracy.*

**H**ARRIS was formerly a porter at a tavern near Temple-bar, and recommended as a waiter to a public house at Margate, where he unhappily got connected with some smugglers, and entered



tered into their fraternity. North, alias Norton, was a native of Donnegal in Ireland, and bred to the sea. They were afterwards hung in chains at Deal.

Harris and North suffered at Execution-Dock, on Nov. 13, 1784.

*The following Criminals suffered Death for divers Robberies, &c. namely,*

**J**AMES LYDE, alias William Johnson, for assuming the name and character of Edward Stokes, late a seaman on board the *Lively* sloop, in order to receive Stokes's wages. William Hogborn, for stealing two geldings and a cow, the property of divers persons, from Putney common. William Rellions, for robbing William Rough of 5s. 1d. on the highway. William Collop, for robbing James Fergus of a pair of fluds, and a pair of knee-buckles. James Forbester, for a burglary in the dwelling-house of Daniel Andrews. George Drummond, for stealing from the person of the earl of Clermont a gold watch, steel chain, and two seals. Peter Le Roche, for stealing a quantity of apparel, the property of James Martin. Joseph Hulet, for privately stealing in the house of Mr. Priestman, a pawnbroker in Bloomsbury, to whom he was apprentice, watches, rings, &c. to the value of 35ol. Kyran Ryan, for forging the will of John Welch, deceased. Hulet, a slim lad, about 18, kicked and struggled surprisngly, and continued so to do for several minutes after his fellow-sufferers were dead. Such was the unhappy fate of nine men, who, it is probable, owed their ruin to idleness, bad company, and pernicious examples, the bane of thousands.

They were executed Nov. 17, 1784.

*Account of the six Malefactors executed Dec. 20, 1784; viz.*

**W**ILLIAM RYAN, for personating the brother of John Harrison, late of his Majesty's ship *Isis*, and administering to a counterfeit will, with intent to defraud said Harrison. James alias Joseph Treble, and George Hands, for robbing Edward Rutter on the highway, of a watch and five shillings. William Coombes, for being at large before the expiration of the time for which he had been transported. Henry Moore and Richard Dodd, for assaulting John Cotton, near Poplar, and robbing him of a silk purse, two guineas, and half a crown. They manifested every appearance of sincere repentance. Moore and Dodd died with hands closely clasped together, which did not separate for some time after their bodies were motionless. Happy had they united heart and hand in practising virtuous actions, instead of walking in the paths of vice, which lead to the chambers of death!

GEORGE OWEN, *for Forgery.*

THIS unhappy young man was condemned for forging, and publishing as true, a certain order to the assay-master of the goldsmiths' company, for the delivery of certain silver goods, left for the assaying and marking, with intent to defraud. He was ordered for execution with the six last mentioned; but obtained a respite after he had been haltered, and was preparing for execution; and the moment he received the welcome tidings, he dropt on his knees, and with great fervency returned thanks to the Almighty for his goodness. However, the respite being expired, he was again ordered for execution; but was nevertheless prepossessed with a notion, even to the last moment of his existence, that he should receive the royal mercy. He had a week before the first order been perfectly reconciled to his sentence, and often declared, he should have felt no regret on leaving the world at that period: but his unexpected respite, and the sum left him by his father (near 700*l.* and a freehold of 5*l.* per annum) recalled all his affections for sublunary enjoyments. On leaving his cell, he said, "Surely God will grant me a longer life;" and intreated the sheriffs to wait for some "good news." They very humanely postponed the poor creature's execution till near two hours after the usual time. He desired leave to give the signal, by dropping a handkerchief, but continuing near half an hour without making that sign, the executioner was ordered to drop the scaffold. How flattering and deceitful are those hopes which are founded on any thing short of integrity and virtue!

He was executed Jan. 6, 1785.

*Execution of Twenty Criminals for Robberies, Burglaries, &c.*

THE names of these unhappy men, and the crimes for which they suffered, were as follows: John Hamilton, William Astel, John Kelsey, William Finder, William Steward, and Melvin Simmonds, for different burglaries. George Goldsmith, Richard Hobson, Lawrence and John Jones, for a burglary at the Black Dog in Shoreditch. Edward Johnson and John Evans, for privately stealing in separate dwelling-houses. James Dunn, for publishing a forged seaman's will. William Abbot, for publishing a counterfeit bill of sale with intent to defraud the owners of the Warren Hastings Indiaman. Allen Williams, for assaulting and robbing a passenger at Shepherd's Bush. John Shaw, Thomas Tabbs, Geo. Harris, Thomas Battledore, and John Moody, for assaulting Tho. Francis, near Bagnigge Wells.

This day exhibited indeed a very awful spectacle to sober minds; but yet, alas! not sufficiently so to alarm hardened profligates, and deter them from committing further depredations on the public,

and acting in defiance of the laws, till disgrace and destruction overtake them!

They were executed on the 2d of Feb. 1785.

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EDWARD PAYNE, JOHN PRICE, JOHN BROWN, SAMUEL DAVIS,  
and WILLIAM HUNT, for Highway Robberies, &c.

PRICE declared in the most solemn manner, after he was ordered for execution, and on the scaffold, that he and another man, then in custody, were the persons who robbed Mr. Alderman Kitchen, about two years ago, on the highway near Hornsey, for which Peter Airey and — Davis were capitally convicted, but received a respite, and were a short time ago transported to the British Settlements in Africa. And, previous to his execution, William Hurt confessed to the ordinary of Newgate, and to Mr. Akerman, that he, and another man then confined in a county gaol, were the persons who robbed Sir Thomas Davenport and his lady in October last; for which Thomas Wood and George Brown were tried and acquitted at the December sessions.

The above were executed on the 2d of March, 1785.

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*An Account of the Execution of Nineteen capital Convicts; viz.*

JAMES Wiggan and James Ruffel, for footpad robberies. Joseph Hitchcock and James Gray, for stealing on board the ship Elbe, Joel Goddard master, in the Thames, 3 casks and 2 boxes, containing 10,000 dollars and 20 watches. John Lucas, John Waters, and Richard Summers, alias Smith, for stealing out of the dwelling-house of Thomas Knott, in King-street, Covent garden, a large quantity of black and white lace, ribbon, and other things, value 700l. and upwards. James Cowan, William Bland, Jasper Robins, Robert Roberts, for divers burglaries. Charles Peyton, Robert Mott, and Thomas West, for returning from transportation. James Coyle, and John Johnson, alias Bandy, for street-robberies. Michael Johnson, alias M'Mahone, for forging a seaman's will. Holland Palmer, alias Farmer, convicted of feloniously uttering and vending certain forged receipts for payment of money, with certain stamps thereon, resembling the stamps provided by the late act. Oh that men were wise, that they would consider and amend their ways, and thereby attain a peaceable, instead of an ignominious latter-end!

They were executed on the 23d of April, 1785.

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JOHN THOMPSON, alias WRINKLE, for Burglary.

HE was convicted for breaking into the house of Henry Wells, in Thames street, violently throwing down Mrs. Wells, and other

other outrage, with intent to rob the house; and for this fact, executed on April 26, 1785.

**G**EORGE WARD, Thomas Scott, Thomas Conner, Henry Wood, Thomas Bateman, alias Parker, and John Hughes, for divers robberies; Patrick Dudley, for private theft; George Mawley, for escaping a second time from the hulks; William Harding and James Haywood, for burglaries; were executed on the 4th of June, 1785.

**J**OHN IVENAY, John Honey, for highway robberies; Peter Shaw, for stealing in the dwelling house of Edwin Francis Stanhope, Esq. in Curzon Street, May-Fair, two gold boxes, six watches, &c. Joseph Brown, for a burglary; and Robert Jackson, for forging a seaman's letter of attorney; were executed before Newgate, on the 6th of July, 1785.

*On the 18th of August, 1785, were executed in the Old Bailey,*

**J**OHN REBOULT, alias Prescott, John Morris, and James Guthrie, for highway robberies; Martin Taylor, and Elizabeth Taylor his sister, for a burglary; and James Lockhart, for theft.

*On the 10th of Nov. 1785, the following Malefactors were executed before Newgate, viz.*

**J**AMES ROWE, for sheep-stealing; John Hayes, George Reynolds, James Lewis, and William Beer, for privately stealing; James Masdell, Thomas Browning, Thomas Winderbank, William Barnes, and Richard Silvester, alias Jack the Gardener, for highway and street-robberies; Amos Rowfell, Benjamin Howell, and William Moore, for burglaries; Joseph Banning, for forging a draught in the name of George Prescott, Esq. on Mess. Prescott and Co. bankers; John Ashbourn, and Joseph Wood, for house-breaking; John Lloyd, alias Jones, for horse-stealing; and James Connel, for house-breaking. Thus eighteen unhappy wretches are, for their felonious practices, justly cut off from society, who by virtuous courses might have proved honourable and useful members of it.

*The following nine Criminals were capitally convicted in October Sessions ; viz.*

**M**ICHAEL SMITH and James Nesbit, for burglaries; John Isaacs, for a highway robbery; William Powley, for horse-stealing; William Vandeput, James Beaman, Francis Storer, and Daniel



Daniel East, for breaking into the dwelling house and warehouse of Lewis Tessier, Esq. of Old Bond-Street, and stealing a bale of silk, value upwards of 200l.; George Manning, alias Francis Hill, for house-breaking. They were executed, pursuant to their sentence, on Dec. 1, 1785.

JOHN HOGAN, a Mulatto, for Murder.

THE circumstances of this horrid act were as follow: Mr. Orrell, an attorney, in Charlotte-street, Rathbone-place, went out with his wife, at three o'clock on Sunday afternoon, June 29, 1785, leaving their maid in the house. They returned within the hour; when the servant not answering the door, they concluded that she had slipped out; and they went away again for a short time; upon their second return, the same difficulty occurring, it was determined to enter the back part of the house, by getting over a wall; when the girl was discovered upon the kitchen floor, weltering in blood, a most shocking spectacle. From the various marks of violence, she must have made strong resistance. Her head appeared to have been struck at with a poker; her throat effectually cut through the wind-pipe; two fingers nearly cut off: a deep gash on one breast, and otherwise dreadfully mangled. She was yet alive, and made signs; but was unable to speak; she was conveyed to the Middlesex hospital, and expired about one in the morning. The house was found to be robbed of spoons, and some other plate that lay about. The murderer had visited the girl two or three preceding Sundays, which caused a suspicion of his guilt.

A short time before the murder, he had brought home some chairs to Mr. Orrell's, and a person answering his description having been seen in the neighbourhood that day, suspicion fell on him, and he was twice taken up, and twice discharged for want of evidence. On being afterwards taken to the body of the deceased, he appeared not in the least agitated; but putting his hand on her breast, he said, "My dear Nanny, I do remember you well; I never did you any harm in my life!" These expressions very forcibly added to the suspicions of his guilt, because her face was so exceedingly cut and mangled, that Mr. Orrell declared he could not possibly have known her. Two other circumstances which tended to criminate him, were a spot of blood on a waistcoat which he wore, and some slight marks of blood on one of the sleeves of his coat; which coat had been washed, though the blood on the sleeve remained; and an effort seemed to have been made, but in vain, to rub out the spot of blood from the waistcoat.

Hogan having been afterwards tried for a larceny, and Mr. Orrell reading his trial in the sessions-paper, it occurred to him to search at the pawn-broker's, where he had pawned the property stolen, for which he was so tried, to see if any of his property, which was stolen at the time of the murder, had been lodged with  
that

that pawnbroker:—there he found a cloak of his wife's, pawned the morning after the murder, by the woman with whom the prisoner co-habited, who was also the principal evidence against him. She deposed, that he brought her home a cloak, which he said he had bought, on condition of paying for it at the rate of so much a week. The cloak was produced in court, and Mrs. Orrell swore to it as her property. The deponent said, that after Hogan had been twice taken before a magistrate, he, at intervals, appeared to be very uneasy; that particularly he could not sleep in bed; that she said to him one night, "For God's sake, what is the matter with you? surely you are not guilty of what you have been taken up for?" that his answer was, "Yes, I am,—I am guilty,—I did it." She then was much troubled in mind, and apprehended fatal consequences to herself, particularly as he said to her, "You must say nothing, you must be quiet; for if I be hanged, you will be hanged with me;" and on her asking him, why he had murdered the young woman, he answered, because he wanted to be great with her, and she resisted him." He said, in his defence, "I am innocent; and if any body takes away my life, I will never forgive them." Such are the dire effects of ignorance and obduracy! He was executed on a gibbet opposite Mr. Orrell's house, Jan. 16, 1786.

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*On April 13, 1786, twelve Malefactors were executed before Newgate.*

THE morning preceding the execution, Major Arabin called at Newgate on Thomas Burdett, (who was to be executed next day, for breaking open the house of Mr. Chancellor, at Holywell Mount,) and asked whether he knew any thing of the robbery of his house, on the 7th of March last. To this Burdett answered in the affirmative. The Major then desired to know if he had any accomplices, and if they were still at large; to which Burdett replied, "You, Major. I suppose, call yourself a man of honour."—"Yes."—"So do I."—"Have you any hopes of a pardon?"—"No; nor would I make the desired discovery to procure it, and my immediate enlargement: I have long been a wicked man; I deserve the punishment I am going to suffer, and am perfectly resigned." Thus did this son of violence awfully retain his attachment to his companions in wickedness, and thereby, with a hardened conscience, countenance their vile practices, even to the last!

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ON June 21. 1786, JONATHAN HARWOOD, for assaulting Mr. Drummond on the highway, and obtaining money from him, by threats of charging him with an odious crime; and Phœbe Harris (who was burnt,) for counterfeiting shillings; with four other malefactors, were executed before Newgate.

*Account of* MICHAEL WALKER, RICHARD PAYNE, and JOHN COX,  
for Murder.

ON December 22, 1786, Twenty-three prisoners received sentence of death. Michael Walker, Richard Payne, and John Cox, were tried in this sessions; the first as principal, for the murder of Mr. Duncan Robinson, near Stuart's Buildings, Holborn, by cutting him down the face and shoulder, and stabbing him in different parts of his arm, of which he died in three days; and the other two for being present, aiding and assisting in the said murder. One of the prisoners had picked the pocket of a Mr. Hunt, who was walking in company with the deceased: Mr. Hunt apprehended the prisoner, on which a scuffle ensued, in which Mr. Hunt knocked down his antagonist twice, when Payne attacked him, and Mr. Robinson coming to his assistance, received the dreadful wound that occasioned his death. Mr. Baron Hotham, at the close of his charge to the Jury, made some excellent observations on the law, tending to prove, that when several partners are in pursuit of an illegal action, and a murder ensues, all are equally involved in the guilt. They were executed on Monday the 18th, near the spot where the murder was committed.

*An Account of* ELIZABETH SEDGWICK, the Incendiary.

THIS unhappy woman was convicted of setting fire, at different times, to two barns, and one stable, belonging to her master, Mr. John Taylor, at Feltham-Hill, Middlesex. It appeared, on her examination, and confessions, that the first fire (on Sunday, Dec. 10.) was merely accidental; as she had then gone into the barn to examine the hens, and that, on returning to the beams on which they roosted, she had fallen on the straw, and, as she thought, put out the candle; but discovering the flames, as she returned to the house, had invented an excuse, by pretending to see a man in the yard with a lantern. But the remaining part of her confession was perhaps the most extraordinary that ever marked the waywardness of the human mind: she said, that on Sunday, the 17th of January, the day of the second fire, as she was making the toast for tea, the thought struck her, that she would go out, and set the other barn on fire; and that when her business was done, she had taken out a candle and candlestick, and placed them in such a situation as to effect her strange purpose in a few minutes. She declared that she did this without any motive whatsoever, and no motive could in fact be assigned, but that of absolute insanity, or inveterate resentment; but, on a strict examination of the evidence, that she had never given the smallest occasion to doubt the sanity of her intellects, and that so far was she from being displeased with her master or mistress, that she always spoke of them in terms of the highest praise.

She was executed on April 27, 1787, before Newgate, with fourteen other malefactors.



*An Account of HENRIETTA RADBOURN, otherwise GIBSON, for Murder.*

**T**HIS unhappy person was apprehended, and tried at the Old Bailey the latter end of July, for the murder of her mistress, Hannah Morgan, by wounding and stabbing her in the head, while asleep in her bed: she was indicted, in one count, for petty treason, and for wilful murder. The Jury acquitted her of the former, and found her guilty of the latter. But her judgment having been respited, for the opinion of the judges, she was, on the 9th of Dec. 1787. set to the bar of the Old Bailey, and acquainted, that their lordships had confirmed the verdict of the jury; whereupon she was sentenced to be executed on the morrow, and afterwards to be dissected. She was accordingly executed Dec. 10, 1787.

At the same sessions in July, came on the remarkable trial of James Elliott, for shooting at Miss Boydell, now Mrs. Nicol, of Pall-Mall, niece to Mr. Alderman Boydell. It appeared, that as Miss Boydell, and Mr. Nicol, bookseller to the King, were walking up Prince's-street, Leicester-fields, a person came behind them, and suddenly fired a pair of pistols so close to the lady's side, as to set fire to her cloak; yet she happily received no other hurt than a slight contusion on her shoulder. Mr. Nicol instantly seized the assailant; and the pistols (fast bound together with a cord) were picked up by a servant that was passing by at the instant, and who saw them discharged. The person who fired them, being carried before a magistrate, appeared to be Dr. Elliott, well known among the literati.

Dr. Simmons, physician to St. Luke's hospital, and other witnesses, were called to prove the insanity of the prisoner, which, however, could not be established to the satisfaction of the court. The prisoner, nevertheless, was acquitted; because he had been indicted for shooting at the prosecutrix with a pistol and ball; and the jury were satisfied that there was no ball in the pistol. He was then remanded to Newgate, in order to take his trial for an assault: but the feelings of the unhappy man, it is supposed, were insupportable, for he died a few days after; and the coroner's jury brought in their verdict, "That he died by the visitation of God."

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*W. EVERETT and S. DAWSON, for an Assault.*

**W**ILLIAM EVERETT, and Samuel Dawson, two boys, about fourteen years old, were tried at the Guildhall, in Westminster, for feloniously assaulting Frances Gillon, with intent to burn and destroy her cloaths, by maliciously throwing upon her apparel a certain quantity of oil of vitriol. This offence is made transportation by stat. 6 Geo. I. subject to the exercise of a discretionary



tionary power in the court to moderate the punishment according to the circumstances of the case.

The prosecutrix deposed, that as she was passing about her lawful business, the prisoners being together, one of them came up to her, and said to the other, "Do it." and that instantly they threw something upon her clothes, which very much burnt them.

The prisoners made no defence; but an apothecary in Oxendon-street, their master, gave them a good character. They were both found guilty of this offence, and of a similar one against Sophia Burnham.

After Mr. Mainwaring had consulted with the other magistrates, he addressed the prisoners as follows:

"William Everett and Samuel Dawson,

"You have been convicted of a crime the most dangerous to the community at large, since no persons, who have occasion to walk the streets, would be safe either by day or night, were offences of this description to be committed, without the most exemplary punishment. It is as wicked in it's intention, as mischievous in it's consequences; for there is no knowing where it might end. The legislature, therefore, has justly annexed to a crime of such magnitude, the greatest punishment short of that of death, namely transportation. It is not without much difficulty that the court have forbore to sentence you to the most rigorous punishment the law will allow. It is the consideration of your tender years, that inclines them to mercy. With sorrow, however, I observe, that you appear totally unconcerned in your present unfortunate situation. Every person in court seems to feel for you more than you do for yourselves. Unhappy youths! the depravity of your minds appears but too evident; I hope, however, the sentence I am about to pronounce, will lead you to that salutary reflection and compunction of heart that may work a change in your future life, and induce you to become useful, instead of injurious to society."

Mr. Mainwaring then pronounced the sentence, "that the prisoners be confined in prison for the assault on Frances Gilson, three months, and be whipped in gaol; and for the assault on Sophia Burnham, the further term of three months, and be also whipped in the said gaol." The second imprisonment to commence from the expiration of the first. They were tried on the 18th of Oct. 1788.

It is equally astonishing and painful to a serious and sensible mind, to perceive at what an early period the seeds of vice grow up to maturity, and shew their baneful effects; and to what a pitch of malicious wickedness the evil propensities of youth impel them, even sometimes without the least prospect of advantage to themselves! which may for the most part be justly ascribed to the want of proper instructions, example, and restraint in their tender years, from their parents or guardians.

*Account of the Murder of MARY PATERSON, by her Husband.*

THE particulars of this extraordinary case for deliberate cruelty, &c. is not paralleled even in that of Williamson, who was executed in Moorfields in 1767. It seems, the deceased had been married to the prisoner upwards of thirteen years; but that he had cohabited with another woman, in the same house, for a considerable time past; and that the former being delivered of a child about five weeks since (i. e. Christmas 1788), was confined to an empty back garret, though previously lame of a white swelling in the knee; and, notwithstanding the inclemency of the weather, had neither fire nor bed, except some straw, and scarce any covering, nor any attendant but her own daughter, about 12 years of age, who acknowledged, upon the examination before the magistrates at the Rotation-Office, that she used to be sent up to the deceased with bread, water, potatoe parings, &c. since her lying-in; but that sometimes she was not sent with any thing for two or three days together. From this cruel treatment, it appeared, the young child died a day or two after it's birth; and, what was more shocking to humanity, was taken away by it's unnatural parent, and sold to a surgeon for four shillings; and who, expecting the death of it's mother, had also procured a coach to take away her body for the same purpose the evening he was apprehended. The barbarous usage of his wife had been discovered a few days before her death, by a woman that came as a lodger into the next garret to which the deceased lay, by her groans; and on the former going into the room imploring for water, which being heard by the woman the prisoner cohabited with, the other was forcibly turned out. This occasioning an alarm among the neighbours, several of them were so abused by the prisoner on insisting to see the woman and child, that their suspicions were communicated to the churchwardens; who, much to their credit, came immediately to the house, and apprehended the man and woman. The corpse was found in a manner too shocking to be described, nearly overgrown with hair, and burnt in several places, occasioned by the prisoner's setting fire to the straw on which she lay after her decease. The deceased bore the character of a person perfectly quiet and inoffensive, had lived in good circumstances, and is said to have been formerly stolen by the prisoner from a boarding-school.

Some circumstances appearing in the prisoner's favour, he was acquitted of an intention to murder.

*Some Account of Nine capital Convicts.*

WILLIAM COLLARD, Charles Messenger, Treadway Pocock, John Norrington, and John Craig, for burglary; James Grace, Joseph Walker, for making counterfeits of two pieces of base metal, so as to resemble shillings; Hugh Murphy and Christian  
 li 2 Murphy.

Murphy, alias Bowman, for making counterfeitis of divers pieces of base metal, so as to resemble shillings and sixpences; were executed before Newgate, on the 19th of March, 1789. Christian Murphy, the woman, was, after strangling, burnt to ashes at the stake.

HENRY LLOYD, and HUGH PARTINGTON.

**H**ENRY LLOYD, for a burglary: and Hugh Partington, for a footpad robbery, and cutting and wounding Mr. Debney, in a cruel manner; were executed in the Old Bailey, on Dec. 9, 1789.

*Account of JOHN DYER, for Forgery.*

**H**E was indicted for uttering, on the 7th of May, 1789, a forged acceptance to a bill of exchange, knowing it to be forged.

The circumstances of the case were shortly these: The prisoner, on the 7th of May, called at the shop of Mr. Scott, a wax-chandler in Old Bond-street. He applied to the porter for 36lb. of candles, which he said were for Sir William Hamilton, and produced a bill of exchange for ten guineas, in these words:

“£ 10 10      No. 25.

“Richmond, Surry, April 22, 1790.

“Fourteen days after date please to pay William Smith, or  
“Order, the sum of Ten Pounds Ten Shillings, Value received, as  
“advised.

“To Messrs Hankeys,

CHARLES THOMAS.

“bankers, in London.

“Accepted for Self and Co.

“JOSEPH CHAPMAN HANKEY.”

This bill was immediately discovered to be a forgery; in consequence of which Dyer was secured, tried, and found guilty.

In his defence he said, that he had received the bill from his master, whose name was Kelfy, and that he desired him to put the name of William Miller upon it; that he was ignorant of the consequence of so doing, and that in the whole of this transaction he had acted in the capacity of a servant.

He was of reputable parents, and had been brought up at a merchant's compting-house, was originally educated at Westminster-school, and was scarce 19 years of age. Several reputable persons appeared to his character. He was however clearly found guilty.

He was executed opposite the Debtors' door, Newgate, Aug. 5, 1790.

*Particulars relating to the Trial and Conviction of GEORGE BARRINGTON.*

**H**E was indicted for feloniously stealing, on the 1st of Sept. at Endfield races, a gold watch, valued at 20 guineas; a chain  
likewise

likewise of gold, valued at 40s. and a seal also valued at 40s. the property of Henry Hare Townsend, Esq.

Mr. Townsend, the prosecutor, being first examined, deposed, that on the 1st of Sept. having entered a horse for the races at Endfield, he accordingly went there at one o'clock in the afternoon : he put his watch in his waistcoat pocket, as much for the convenience of looking at it, as to prevent the chain from soiling his breeches, which were of leather. About a quarter past two he felt his watch in his waistcoat pocket. As he was leading the horse, which was to run, up to the starting post, a person dressed in a light coloured coat, rudely rushed in from behind him, and pushed against the arm which had hold of the horse : the same person again repeated his push, but in a more violent manner.

Mr. Townsend further deposed, that, from the reiterated apparent insult offered to him, he, accompanied with an oath, asked Barrington what he wanted ? to which he returned no answer, but observed the prisoner looked much confused. The conduct on the part of Barrington appeared very odd ; but he entertained no suspicion of having been robbed, until Mr. Blades came up to him, and asked him, if he had not been robbed ? On feeling his pocket, he found his watch was gone. Mr. Blades informed him that Barrington was upon the course, and he verily believed that he was the thief. After this, they had agreed to say nothing about the matter, until they had found the supposed offender. They then walked about in search of Barrington, and at last saw him on the opposite side of the course : this was at the very moment when the horses were going to start. Nothing occurred till after the horses were past ; after which they went up to him ; and Mr. Townsend, going behind him, seized him by the collar, and said, " You rascal, you have robbed me of my watch." No sooner had Mr. Townsend said the words, but he again laid hold of him fast by one hand and arm, and Mr. Blades took hold of the other, and conducted him to a booth.

Buxton Kendrick affirmed, that after he had been about a minute in the booth, he heard something rattle, and, looking down, he saw the watch fall rather between his legs. John Waldeck, Mr. Townsend's coachman, also declared, that he heard the watch jingle as it fell from the prisoner : that Barrington attempted to kick the watch further behind him ; but that he picked it up, and gave it to lady Lake, in the next booth, who was a relation of Mr. Townsend.

William Blades, the principal witness, deposed, that he saw Barrington at the races, he was near the stand, and close to Mr. Townsend : that he observed no conversation at the time passing between the prosecutor and prisoner. Soon after this, he asked Mr. Townsend, if he recollected a tall thin man, in a light coloured coat, standing by him ; which he said he did, but knew nothing of him. Blades after this informed Mr. Townsend, that



he supposed he was robbed, which appearing to be the fact, they both went in search of the prisoner, whom they apprehended, as above related.

Mary Dandy deposed, that she was standing in the next booth, and saw the prisoner drop the watch out of his hand; after this, she looked him full in the face, and consequently could not tell whether he kicked it, or not. She at the same time accused him of throwing the watch down, but was immediately pulled back by some person near her.

Barrington made a long and specious defence, and, among other things, charged the evidence with being imperfect, inconsistent, and in some respects unsafe, especially that of Mary Dandy.

Lord chief baron Eyre, having summed up the evidence in a clear and circumstantial manner, observed, that the prosecutor had demonstrated his lenity, by making the indictment only for single felony, when it might have been made capital.—The jury, after a short deliberation, found the prisoner guilty,—Transportation for seven years.

The chief baron then addressed Barrington in a far different style from that he used before: his lordship observed, that he must consider himself as peculiarly fortunate in the lenity of his prosecutor: he said, that he had had many warnings, not only from the fate of others, but the many narrow escapes he himself had had; and he regretted that talents like his should be employed in a manner so truly disgraceful to him; and (said his lordship), notwithstanding your life is now saved, I fear that these wicked habits are so far rooted in you, that your existence will still terminate in a *shameful spectacle*.

Among other things said by Barrington in his address to the court, the following is not unworthy notice:

“The world has given me credit for much greater abilities than  
“I am conscious of possessing: the world should also consider, that  
“the greatest abilities may be so obstructed by the ill nature of some  
“unfeeling minds, as to render them nearly useless to the possessor.  
“And where was the generous and powerful man to come forward, and say, you have some abilities which may be of service  
“to yourself and the public, but you have much obstruction—I  
“feel for your situation, and shall place you in a condition to try  
“the sincerity of your intentions; and as long as you act with diligence and integrity, you shall not want for countenance and  
“relief?”

“My Lord, the die is now cast; I am prepared to meet the sentence of the court with respectful resignation, and the hard fate that awaits me with becoming resolution.”

The prisoner then made a low bow, and retired from the bar.

Barrington was sent off from Newgate, Feb. 2, 1791, to embark for Botany Bay.

FRANCIS FONTON, *for Forgery on the Bank of England.*

HE was a clerk of the Bank, and was charged with having signed a receipt for 47l. 12s. 6d. with the name of J. Pearce subscribed to it, and the date of which was May 8, 1789. It appeared to be a stock receipt, which the seller of stock, when he receives his money for it, gives to the buyer.

The indictment charged this offence upon the prisoner, as done with an intent to defraud William Papps. Another count, or way of charging it, was, that the receipt was forged with a view to defraud the Governor and Company of the Bank of England.

He was also charged with uttering and publishing this forged receipt, knowing it to have been forged with a view to defraud the said parties.

There were four other indictments against the prisoner, though he was only tried upon the first. The jury found the prisoner Guilty.

The recorder, previous to passing sentence, thus observed to him: "Fraud, which strikes at the credit and security of the bank of England, has never passed unpunished. The policy of the state requires that the punishment, in a case of that sort, should be the most severe. A servant, for transgressing, can expect no mercy. I must therefore hope, prisoner, that your example will convince others disposed to offend in like manner, that no art nor cunning, no experience nor knowledge of the subject, no character, how imposing soever by that gravity which is supposed to attach on old age, will cover fraud from detection; and that sooner or later dishonest acts will lead to that disgraceful end which you are about to suffer."

He was executed before Newgate, at the same time with Storey, for a highway robbery; William Burbidge, James Sullivan, Joseph Page, Thomas Dunklin, for house breaking; Thomas Tyler, the noted Swindler, for forging and uttering as true, the acceptance of William Fielder to a bill of exchange drawn on John Lindsey, No. 25, Gun-street, Spitalfields, value 10l. to John Philips, Esq. or order, dated Bristol, June 20, with an intent to defraud Mrs. Cockburn, of Stoke Newington; Edward Ivory, James Smith, and James Royer, for counterfeiting six-pences; viz. on the 24th of Nov. 1790.

The fate of F. Fonton will, we sincerely hope, be a caution to other men in respectable situations, not to pursue the baneful and illegal practice of insurance in the lottery, by which, it is said, he sunk 3000l. When once a person embarks in it, he is urged on in hopes of retrieving his losses, and in the end plunges himself into difficulties, beyond the possibility of recovery. How many lives have fallen a sacrifice to this destructive passion for gaming, either by self-murder, or by public justice; and yet the evil seems every year increasing!

*Account of EDWARD LOWE, and WILLIAM JOBBINS, the Incendiaries.*

EDWARD LOWE and William Jobbins were tried for feloniously and wickedly, on the 16th of May 1790, setting fire to the house of Francis Gilding, in Alderigate-street; in consequence of which, that and many others adjoining were consumed.

Flindall, the accomplice, said he had been acquainted with Lowe eight years, and with Jobbins nine months; on Sunday the 16th of May last, he was at the fire; the prisoners at the bar, with two other persons and himself, set fire to the premises. It was proposed to effect their purpose on the 12th, at Lowe's house, in Hartshorn court, Golden lane; Jobbins said, he had fixed upon Mr. Gilding's house to fire, rob, and plunder. They met at the Swan in Cow Cross the next evening, Barnard was there; the witness and Jobbins went to shew Barnard the house. They went through the inn yard, and there was a cart unloading clover into a hay-loft, which Barnard pitched upon as the place to fire.

On Saturday, the witness met Barnard at the Sun, and proposed to set the house on fire that night. At five Jobbins came to the Sun, and Lowe came to them at eight, and at ten they went to Lowe's, when the wife brought in some spirits of turpentine; this they mixed with rags, which, with some matches, were put into a glove; Jobbins and the witness took some turpentine wood in their pockets.

They ordered Mrs. Lowe not to go to-bed, lest she should be wanted to help to take away the plunder. They went to the Nag's Head public house, where they staid till past twelve, and went out each with a lighted pipe, in order to fire the matches. They went down Carthulian-street, when two pipes were broken; they then went to the back gates of the Red-lion-inn yard; Jobbins got over the gates, but broke his pipe; the witness followed, when finding the pipe extinguished, he put it through a hole in the gate to Lowe, who was without; and in the mean time Jobbins went down the yard, and found a ladder, which he placed against the hay loft door. Lowe then returned with the lighted pipe, and put it through the gate. The witness went down the yard with the pipe, and gave it to Jobbins with the matches, who went up the ladder with the pipe in his mouth, and the matches in his hand, which he lighted, and set fire to the combustibles placed amongst the clover. It soon blazed up; they got over the gate, and found Lowe waiting, who directed him to go and fetch Mrs. Lowe, which he did, and found her lying down in her cloaths. When they returned, the fire was burning rapidly. They found Lowe in the inn-yard bringing out boxes. They went into Mr. Gilding's room, and took a case, containing 24 silver spoons, threw the case away, and putting the spoons into a handkerchief, carried them to the house of Lowe, and put them in a cupboard under the stairs. The witness went to call Barnard, who came with him to the fire; when he saw the goods,

he said, This is something like indeed! Both of them went to get a cart, but could not get one. Lowe carried the drawers away upon his head towards Barnard's house, and desired the witness to follow, which he did into St. John's-street, where Barnard lifted them from Lowe's head to the witness's head; and in New Prison Walk he was taken into custody by Lucie, a patrol, with the drawers upon his head. Barnard walked off. When Lucie had secured the witness in New Prison, he went out, and took Lowe into custody.

The witness was tried and convicted of stealing the drawers, and when in New Prison, got a man in the same ward to write a letter to Alderman Skinner, promising, on certain conditions, to discover the whole of this most horrid transaction; which being complied with, and his pardon obtained, and pleaded in court, he was admitted an evidence against his accomplices.

The evidence of Flindal was confirmed in circumstances by Samuels, a Jew, in Houndsditch, and his wife, to the former of whom Lowe had confessed his guilt. Being found guilty, they were both executed near the spot where Mr. Gilding's house stood, in Aldergate-street, Nov. 20, 1790. Jobbins had been educated at St. Paul's school, was bred a surgeon, and only 19 years of age when he suffered. Lowe was about 23 years of age.

EDWARD WELSH, *for the Murder of his Wife.*

**I**T appeared in the course of the trial, that the prisoner and his wife had lodgings near Dyott-street, St. Giles's.

That on Saturday the 4th of December, a quarrel arose between them, relative to some money. Many foul words passed between them, when Welsh, who was an Irishman, swore if she did not hold her tongue, he would soon find a way to make her. Unhappily she still continued to aggravate him in the most abusive manner. Upon this, he ran up to her, and giving her several blows, she fell. Whilst upon the ground, she screamed out Murder! in a violent manner. Enraged at this, almost to a pitch of madness, he drew his knife, and swore she should cry Murder for something. He then ran up to her, and jobbing the knife into the lower part of her belly, ripped her up a considerable way.

By this time, the noise had drawn together several of the neighbours. Some of them attempted to go into the room, but he brandished his knife, and swore he would butcher the first who entered. Finding nothing but violence would do, they knocked him down with a bludgeon, and he was secured. A surgeon was immediately sent for, but proved of no use, the poor woman being dead. The facts being plain, and the prisoner having little to say in his defence, the jury found him guilty.

This criminal was born in the kingdom of Ireland, and got his living as a porter in Covent Garden market.



On Monday morning, Dec. 13, 1790, he was executed, in the presence of a number of spectators, calling upon the Lord to have mercy upon him, and receive his soul. His dead body was taken to Surgeons Hall.

*Account of RYNWICK WILLIAMS, otherwise called the Monster.*

THE indictment charged, that he, Rynwick Williams, on Jan. 18, 1790, with force and arms, at the parish of St. James, Westminster, in the king's highway, and in a certain public street, did unlawfully, wilfully, and maliciously, make an assault upon Ann Porter. The indictment further charged, that on the same day, and at the parish aforesaid, the prisoner at the bar did unlawfully, wilfully, and maliciously, tear, spoil, cut, and deface, the garments and clothes, to wit, the cloak, gown, and petticoat of the said Ann Porter, contrary to the statute, and against the king's peace.

The chief evidence, on this trial, was that of Miss Ann Porter, the injured lady, who was not chargeable with the smallest degree of inconsistency even on her cross-examination. Her evidence was also confirmed by that of her sister Miss Sarah Porter. After which, Mr. Tomkins the surgeon proved, that the wound which Miss Porter received was a very dangerous one indeed; that it was between nine and ten inches in length, and in the middle between three and four inches deep—at the ends only just through the skin; and, but for her stays, must have penetrated the abdomen: she must have been cut with a sharp instrument.

After a full and impartial hearing, the jury found the prisoner guilty.

Mr. Justice Buller then ordered the judgment in this case, and the recognizances of the persons bound to prosecute, to be respited till Dec. sessions. All the witnesses were examined separately.

At the commencement of the sessions at the Old Bailey, on the 10th of Dec. judge Ashurst addressed the prisoner nearly in the following terms: "You have been capitally convicted under the stat. 6 Geo. I. of maliciously tearing, cutting, spoiling, and defacing the garments of Ann Porter, on the 18th of Jan. last. Judgment has been arrested upon two points—one, that the indictment is informal; the other, that the act of parliament does not reach the crime. Upon solemn consideration, the judges are of opinion, that both the objections are well founded; but although you are discharged from this indictment, yet you are within the purview of the common law. You are therefore to be remanded to be tried for a misdemeanor."

He was accordingly, on the 13th of the same Dec. tried at Hicks's Hall, for a misdemeanor, in making an assault on Miss Ann Porter.

The trial lasted 16 hours: there were three counts in the indictment, viz. for assaulting with intent to kill, for assaulting and wounding, and for a common assault.

The charge was, that he, on the 18th of Jan. 1790, made an assault on Ann Porter, and with a certain knife inflicted on her person a wound nine inches long, and in the middle part of it four inches deep.

The same witnesses were then called, in support of the charge, as appeared on the trial at the Old Bailey: they gave a very clear, correct, and circumstantial evidence, positively swearing to the person of the prisoner.

The facts proved were nearly the same, with very little variation indeed, with those which were given in evidence, on his trial for the felony at the Old Bailey; for which reason we forbear to enter more fully on the trial.

The prisoner produced two witnesses, Miss Amet and Mr. Michelle, who attempted to prove a clear *alibi*, and the credit of their testimony was not impeached by any contradiction. The question therefore was, to which the jury would give credit, for the evidence was on both sides equally fair and unexceptionable.

The chairman made a most excellent summing up; the jury retired, and at half past two o'clock the next morning, returned a verdict of Guilty.

The prisoner was again put to the bar at 10 o'clock the same morning, and tried on the remaining indictments, on three of which he was found Guilty; when the court sentenced him to two years imprisonment in Newgate for each, and at the expiration of the time to find security for his good behaviour, himself in 200*l*. and two sureties in 100*l*. each.

*Account of the Trial of LORD VISCOUNT DUNGARVAN, Son to the Earl of Cork.*

THE indictment charged his lordship with the capital offence of stealing privately from the person of Eliz. Weldon, three guineas and an half, on the evening of Wedn. Jan. 13, 1791.

The prosecutrix swore, that she was at the play on Wednesday night, and was handed out by a gentleman to a hackney coach. When about half way home, she felt his hand at her pocket; and discovering her loss, charged the gentleman with having picked her pocket. When they got out of the coach, she said, that, on accusing him with the theft, he offered her a guinea to let him go. She answered, he should not; and if he offered to go, she would call out, Stop thief! That he then ran off; she pursued him, called out, Watch! and stop thief; in consequence of which he was taken to the watch house, where she charged him with the felony in question.

William Whitebroke and Robert Boyce proved, that the prosecutrix had lodged in their houses; and that she was a woman of such a loose and disorderly character, that they were obliged to get rid of her.

Many other witnesses were called in behalf of his lordship, who invalidated the facts sworn to by the prosecutrix. Among these were the link-man and the coachman, who invalidated the evidence of the prosecutrix in very material points, and rendered her testimony of no avail.

Mr. Sheppard, the attorney for the defendant, also gave his evidence as to what passed in the parlour of the magistrate, and also contradicted the testimony of the prosecutrix. Mr. King the barrister confirmed this. The testimony of several other witnesses left not the smallest doubt upon any person in court, of the abandoned character of the prosecutrix, of the iniquity of the prosecution, and the innocence and honour of the noble lord.

A great many of the first characters in the kingdom also attended, among whom were his Grace of Devonshire, duke of Portland, &c. to give the defendant the most amiable and honourable character, if the case should require it.

The jury, clearly perceiving the complexion of the prosecution, and being convinced of the perfect innocence of the defendant, pronounced him Not Guilty.

The learned judge addressed his lordship in these words :

“ My lord Dungarvan,

“ It is but justice to you to say, it is impossible you can go away  
“ from this bar with the smallest imputation on your character. Of  
“ your imprudence in this business, you seem to be already very  
“ sensible.”

The trial lasted near six hours. When the defendant was found Not Guilty, there was an universal shout of approbation, and the prosecutrix was hissed out of court, and with great difficulty escaped feeling the effects of the people's resentment.

BARTHOLOMEW QUAIN, *for Murder, in the Isle of Ely.*

HE was tried and convicted at the last assizes for the Isle of Ely, Cambridgeshire, for the wilful murder of Ann his wife. He was brought from the King's Bench prison, and placed at the bar, when Mr. Plumtree, Counsel for the Crown, stated the circumstances of the case, and contended that the fact, of which the prisoner had been found guilty, amounted to the crime of wilful murder. He said that the Jury, under the direction of the Chief Judge of Ely, had found a Special Verdict, in order to take the opinion of the Court of King's Bench upon the following question, viz. “ whether the facts found by the Jury amounted to murder, or only to manslaughter?” The circumstances of the case, as proved upon the trial, were these:—The prisoner and his wife came out of a house together in the Isle of Ely. They appeared to have been quarrelling. The prisoner had one of his children in his arms. His wife sat herself upon the ground, and then rose and walked. The prisoner followed her, and gave her



two or three kicks, upon which she shrieked out and ran away; he pursued, and kicked her again; in consequence of which she fell upon the ground: he then retired a few paces, returned to her again, and, while she lay on the ground, he gave her several more kicks; she then got up, when he kicked her down again; the deceased then said, "You have killed me." A woman, hearing her shrieks, remonstrated with the prisoner against his conduct; upon which he said he would serve her the same. The deceased then arose, struggled, fell down, and died. The prisoner, upon finding she was dead, expressed great sorrow. It appeared that her spleen had burst, and the indictment stated that of this she died, and that it was occasioned by the kicks and blows given her by the prisoner. The whole lasted near half an hour.

Mr. Plumtree cited a number of cases to prove that the offence of which the prisoner had been convicted amounted to wilful murder. To constitute murder, the law said, there must be malice expressed or implied. Barbarity always implied malice. If one man cruelly beat another without provocation, although he did not intend to kill, yet the law would imply a malicious purpose, and if the party died it would be murder. He made many apposite remarks upon the case in question, and contended that it clearly amounted to murder, according to the opinions of Lord Hale, Mr. Justice Foster, and other great legal authorities.

The Court were clearly of opinion that the facts proved against the prisoner amounted to murder. There appeared to be no provocation on the part of the deceased, and no man had a right even to inflict chastisement without a just provocation. It was not necessary to prove express malice, to constitute murder. If one person provoked another to chastise him, it must be done with moderation, and with a proper instrument, otherwise the law would infer malice.

He was executed at Kennington, on Feb. 7, 1791.

JOHN ETHERINGTON, and JOHN RANDALL, *for Robberies, &c.*

JOHN ETHERINGTON was indicted for feloniously returning from transportation, before the term for which he was transported was expired, and being seen at large within this kingdom.

On the part of the Crown it was proved, that the prisoner had been sentenced to be transported for seven years, from the year 1787. The record of his conviction being produced, and his person identified by one of the persons belonging to Newgate; he was therefore found guilty.

He was again indicted for breaking and entering the dwelling-house of the Baron Wenzel, in Sackville-street, on the first of December, and stealing therein a counterpane and a silk cloak, value 5l.



The Baron being in France, the prisoner, in company with another man, genteelly dressed, came to the house on the first of December, under pretence of taking it, and went up stairs with the house-keeper, to view the different rooms.

On their coming to the garret, she missed the other person who came with the prisoner, which raised her suspicion; and, on their coming down stairs, the parlour-door, which she had left open, was shut, and the street door half open. The house-keeper immediately seized the prisoner, and shutting the street-door, insisted on his giving an account of the other man who had come with him; on which a scuffle ensued; and the prisoner, in order to effect his escape, struck her several times, and cut her in a desperate manner.

She cried out murder, and alarmed the neighbourhood, when two servants from the next house came to her assistance, and secured the prisoner.

These facts being fully proved by the housekeeper, the Jury without hesitation, brought in their verdict guilty.

This criminal was born of reputable parents, who gave him a decent education, and placed him as an apprentice to a saddle-tree maker. Being out of his time, he fell into bad company, and committed a felony, in which being detected, he was sentenced to be transported. Finding means to return, he renewed his depredations, which brought him to the gallows.

Whilst under sentence of death, he behaved in a penitent manner, having little hopes of mercy, as the Judge, immediately after his conviction, bid him prepare to die, as his crimes were enormous.

He was a decent looking man, about 30 years of age.

JOHN RANDALL was cast for breaking into the house of George Telfer, and stealing a pair of cotton stockings, a cotton petticoat, a muslin handkerchief, half a crown, some halfpence, &c.

On the trial, the facts were plainly proved against the prisoner, who being an old offender, was ordered for execution.

During the time he lay under sentence of death, he behaved in a very penitent manner.

He had received but a very indifferent education, and was under the necessity of requesting his fellow prisoners, and others, to read to and pray with him, for which he appeared exceedingly thankful.

Particularly did he desire every one to take warning by his unhappy fate, to avoid drinking and Sabbath-breaking; shun bad company, fear God, and obey their parents.

These two malefactors were executed on Feb. 23, 1791.

As Soze de Souza and Thomas Herbert were to have been executed with the above, but were respited; and tho' their fate was not determined when this account went to press, it may not be improper to give some particulars concerning them.

SOZE DE SOUZA, a Portuguese Jew, was capitally convicted of privately stealing, in the dwelling-house of Gregory Lucy, twenty-four guineas, a crown-piece, and a silver watch, his property.

This criminal was born in the kingdom of Portugal, and had followed a seafaring life, till he came to England, where he committed the fact for which he was condemned. While under sentence of death, he behaved in a very reserved manner, yet appeared in general greatly shocked when he reflected on his awful situation. Being of the Roman catholic religion, he was attended during his confinement, and in prospect of a speedy execution, by one of the priests of that persuasion. He owned he was guilty of the crime for which he expected to suffer death; and confessed, that from his youth he had been addicted to pilfering.

This unhappy man affords an instructive caution to other young people, that are thievishly inclined, not on any account to invade and purloin the property of others; inasmuch as one bad action, how small soever, commonly tends to harden the conscience, and lead unthinking mortals to greater, till destruction closes the fatal and melancholy scene. The following useful lesson, therefore, well learnt, and deeply impressed on the mind, will be an effectual preservative against all dishonest practices, namely, "Avoid the least appearance of evil."

THOMAS HERBERT was cast for burglariously entering the dwelling-house of Dennis Dolan, and John Magaurin, and stealing a metal candlestick, value 3s.

This malefactor was born of honest parents, who did every thing in their power to induce him to walk in the path of virtue; but his own evil propensities rendered all their endeavours ineffectual. He was not bred to any business, but had lived in several places, having been employed to look after horses, &c. He had so little fear of dying for the crime he had committed, that, previous to his trial, he entertained the greatest hopes of being acquitted.

While under sentence of death, he behaved in a decent manner, but was rather too cheerful for one in his dreadful situation. He continued for some time confident of receiving a respite: but when the dead warrant came down, and he found himself ordered for execution, it is impossible to express the horror of his mind. But the night before he was to be executed, his Majesty extended his royal clemency to him by a respite; and should his life be spared, it is hoped a serious reflection on the destructive consequences he had experienced from pursuing evil courses, will prove a means of his reformation in the future part of his life. He was only about 21 years of age, and being low in stature, had a boyish look.

*Relation of WILLIAM BAKER, the Murderer, at Pancras.*

**A**N account has been received from Portsmouth, that William Baker, alias King, being taken ill, has confessed, when in Hasler Hospital, that he was the person who, about a twelvemonth ago, so cruelly murdered the woman near St. Pancras.

We are told, that this unhappy man was lately a sailor on board one of his Majesty's ships, where his behaviour was so singular, that all his shipmates noticed it. In the day-time he was full of jollity, skipping about the deck in the highest glee; but when night came on, his mind was so agitated, that the continued noise he made disturbed all the ship's company.

At length he became so bad, that when the ship was at Spithead he was sent to Hasler Hospital, and being likely to die, he sent for two clergymen, viz. Dr. Bruce, and Dr. Walker, and made the following confession to them:

"Finding, by the justice of God, that I can have no rest, by night or by day, I do confess, to ease my sin-sick soul, that I, and only I, committed that shocking murder, upon the body of the woman near Pancras, about a twelvemonth since. I then went to sea, that I might fly from justice, but have found it all in vain; for no sooner did I lay down upon my hammock, than the ghost of the deceased woman appeared before me, pointing to her bleeding wounds, and demanding my life as a forfeit for the horrid crime.

"Tormented in this dreadful manner, I was determined to make a full confession of my offence, which I now do, in the presence of the Rev. gentlemen above-mentioned.

"I do not desire to live, but wish to die; yet hope, by the blood of Jesus Christ, and a sincere repentance, that a wicked offence may meet with heaven's pardon.

"I desire the prayers of these gentlemen, and all christians; am in my perfect senses, and make this confession freely and voluntarily, to ease my soul.

"In witness whereof I have signed my name, the twelfth of February, 1791.

"WILLIAM BAKER."

The unhappy wretch, since this confession, is considerably recovered, and is, of course, kept under a strict guard.

When able to be tried, he will be brought to town, and, undoubtedly, if found guilty, receive the just reward of his crime.

*Account of the Crimes and Execution of WILLIAM BATES, STEPHEN MACKAWAY, EDWARD GILILKEY, WILLIAM BROWN, JOHN DAWSON, THOMAS UNDERWOOD, JOSEPH WOOD, and ISABELLA STEWART.*

**W**ILLIAM Bates, Stephen Mackaway, and Edward Gililkey, were tried, and condemned to die, for feloniously assaulting Robert Adair, Esq. Emilia Bristow, and Elizabeth Dundas, on the Edmonton road, June 2d, and robbing them of a gold watch, a ten pound Bank note, a silver gilt watch, a gold-chain, and twenty guineas.

During the short time they lay in the condemned cells, they appeared but little concerned; but when the death-warrant came to Newgate, and they found they must so soon die, the daring courage they had seemed to possess forsook them, and they shed tears.

William Brown and John Dawson were cast for robbing Mr. Maddocks near his own house, the bottom of Highgate-hill, of seventeen guineas and a half, some silver, his hat, and three keys. When all hopes of transportation failed them, they prepared to meet their awful fate, and wished all soldiers would be warned to shun their practices.

Thomas Underwood, aged 14; and Joseph Wood, only 14; were cast for robbing a lad 12 years old, of a bag containing a jacket, shirt, and waistcoat. They used the boy exceedingly ill, and, if not prevented, 'tis thought, would have murdered him. These young, though most daring offenders, had, long trod in the paths of wickedness, in connection with a gang of footpads, pickpockets, and other villains; insomuch that, being convicted on the clearest evidence, it was deemed requisite to cut them off, as a caution and terror to other ill-disposed youths.

Isabella Stewart was capitally convicted for stealing, in the dwelling-house of John Goodman, a 50l. Bank note and 21 guineas, the property of Elizabeth Morgan. When called to the bar to receive the sentence of death she delivered a petition of remonstrance to the court, which mentioned the King's proclamation, published in the year 1787, against vice and profaneness, and stated, that as it bore relation to the laws of God alone, those laws did not ordain that offenders, for theft only, should lose their lives or liberties (See *Exod.* xxii.). It stated many similar arguments, which, of course, could have no weight with a Court of Justice, who only sit to try criminal causes, according to the established and well-known laws of this country. This unfortunate convict was a good-looking woman, and about forty years of age. From the day of receiving sentence she took on greatly; and when the dead-warrant came down, and she found herself ordered for execution, burst into an agony of grief.



These eight malefactors were executed, before Newgate, on July 6th, 1791.

Most of the above male convicts were stout young men, and, by a regular and virtuous conduct in life, might have been useful and even ornamental branches of society; but alas! idleness, gaming, drinking, and the company of lewd women, urged them to commit those crimes which rendered them pests to society, and brought them to an untimely and disgraceful end. Happy for the rising generation, if they would consider these things; and be advised, when in the prime of life and health, to walk in the ways which lead to present comfort and everlasting felicity!

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*Various Crimes, Convictions, and Execution of JOHN MEAD, CHARLES CLARK, PIERRE or PETER DEVAL, THOMAS GODFREY, JOHN SMITH, DAVID RANGO, JOHN FINCH, and JOSEPH HUNT.*

**J**OHAN MEAD, 16 years of age, was found guilty of wilfully and maliciously setting fire to the house of Walter Carvadine, his master, who kept the Wheat-Sheaf, in Red-Lyon-Street, Holborn, in the night of the 5th of July; of which nefarious act full proof was made, and the prisoner's own confession produced in court.

Charles Clark was convicted of stealing a considerable sum in the house of Charles Maits, and afterwards breaking out of the same.

Pierre, alias Peter Augustine, alias Chumley, alias Chapman, alias Deval, was capitally convicted of stealing, in the dwelling-house of Mrs. Smithie, on May 31, goods, &c. to the value of 2000*l.* the property of Alexander Delarade, a French gentleman. The prisoner had contracted an intimacy with Mr. Delarade, went with him to the play, left him there, and immediately after went to the lodgings, and carried off all the property in a coach. He was apprehended at Bristol, and the greatest part of the goods recovered.

Thomas Godfrey and John Smith were tried and cast for robbing John Mazinjay on the highway, June 21, near Enfield.

David Rango, John Finch, and Joseph Hunt, were cast for robbing Isaac Gillet, on the highway in Newgate-street, of a leather pocket-book. The prisoners were part of a gang of pick-pockets. In the scuffle, they knocked down Mr. Gillet, beat him violently, and broke his leg. Finch was very active in assisting the pickpockets.

They were all executed on the 31st of August 1791.

This presents a melancholy picture of eight more souls launched into eternity, and we fear, with all their sins and imperfections on their heads; for it is a solemn and awful truth, that as the tree falls, so it will lie for ever; and as death leaves us, judgment

ment will find us : of what importance, therefore, is it so to pass along the stream of time, as to secure a happy eternity, and by a truly christian life and deportment, to escape that misery from whence there will be no redemption.

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FRANCIS HUBBARD, *alias* NOBLE, *for Murder.*

THIS unhappy criminal was convicted, upon full evidence, for the wilful murder of Jordan Hosty, on Saffron-Hill, Holborn, Feb. 16, 1792, by stabbing him with a knife. He was indicted together with James Jones, James Armstrong, John Bailey, James Savage, Peter Douglas, James Frere, and John Caryll, as accessaries; but the charges against these latter being for inferior crimes, though of a dangerous nature, they were detained for trial at a future time. The death of Hosty was attended with very aggravated circumstances of cruelty, as Hubbard had the barbarity to tread on his head and breast, till at length the poor man was dragged into the house of Mr. Carey, who was ill-treated for protecting him; till, after many kicks, bruises, and the stab the miserable victim received, it was found necessary to convey him to the hospital, where after a few days he died.

He was executed April 2d, 1792.

It is an irreversible law of the God of Nature, that "whoso sheddeth man's blood, by man shall his blood be shed." This horrid act was the effect of drunkenness, which first produced madness in the minds of this wicked man and his associates, and terminated in murder. Let the drunken and passionate take warning by Hubbard's fatal catastrophe.

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ROBERT ANDERSON, *who suffered Death for the Murder of Susanna Dell.*

ON May 25, 1792, Anderson was tried, with one Matthew Goodall, for the wilful murder of Susanna Dell, on the 6th instant, by giving her a mortal stab with a knife, under the left breast, of which wound she soon expired.

It appeared by the evidence for the prosecution, that the deceased was married to one Dell, a sailor lately returned from sea; but that she cohabited with Anderson, and they lived together in a house in Newton's-lane. On the fatal evening, about six o'clock, Dell went to his wife's lodgings; where Anderson and Goodall were, who had declared vengeance against Dell, because he had prevented them, in the course of the day, from picking a gentleman's pocket in Holborn: a quarrel soon arose; Anderson and Goodall drew their knives; the deceased got between them, and begged them not to kill her husband; on this, Anderson stabbed her under the left breast; Dell ran to the window, and called out, Murder! some people went up stairs; they met the

prisoners coming down, with knives in their hands; the deceased was bleeding terribly, and soon after expired.

The prisoners ran into Drury-lane, and cut a soldier that attempted to secure them; at length they were secured, and taken before a magistrate, for committing the assault upon the soldier, and, whilst there, the charge of murder came against them, and they were both committed for trial.

The evidence for the prosecution being closed, the Court called upon the prisoners to make their defence; they had little to say, except denying their guilt of any intention to murder.

The Jury, after a short consultation, found Anderson Guilty. Goodall they acquitted; but he was detained, to take his trial for the assault committed at the time of his being apprehended.

Anderson's behaviour was penitent, but he seemed greatly shocked at his unhappy fate. He was a young man of a decent and honest family, but was ruined by associating with wicked and abandoned companions.

He was executed on the 28th of May 1792.

“ Evil communications corrupt good manners.” One species of wickedness is frequently followed by another; till, after a series of crimes, misery and ruin overtake the guilty and profligate.

*An Account of the criminal Acts of WILLIAM RANDALL and JAMES LEMAN BAKER, GEORGE SMITH alia SWALLOW, THOMAS GORTLEY and WILLIAM CROPPER, for which they suffered Death.*

**W**ILLIAM Randall, and James Leman Baker, were tried and cast, for feloniously entering the dwelling-house of Thomas Gibbons, and stealing property to the value of one hundred pounds, and upwards.

Mr. Gibbons deposed, that on Easter Sunday, about ten at night, he heard a noise at the door, and supposing it occasioned by some customers, opened it; immediately four men rushed in, their faces disguised, and threatened to blow his brains out, if he made the least noise; they then tied him, took out of his pockets one guinea and a half, and his silver shoe buckles.

The prosecutor's house was called the Folly, situated near Blackwall.

They rifled it of every thing valuable, took nine gowns, a mourning ring, some silk handkerchiefs, a silver watch, and several guineas out of a bureau.

After staying in the house for several hours, eating and drinking, they went off.

These unfortunate malefactors acknowledged themselves guilty of the crimes for which they were hanged, and also of being concerned in perpetrating many others: but hoped to be forgiven, through the intercession of Jesus Christ.

George



George Smith, alias Swallow, was cast for forging a power of attorney, with intent to receive the wages due to Edward Clark, a mariner. He was convicted principally upon the evidence of an accomplice, who, in consequence of a quarrel impeached him—a proof that friendship without honesty cannot long exist.

The wretched criminal, who thus sell a victim to his fraudulent intentions and folly, was a frequenter of St. Catharine's, and well known to the infamous women who infest that quarter, seeking, like land-sharks, to devour the hard-earned wages, and spread contagion through the bodies of the unwary seamen, who, having escaped the dangers of storms and shipwreck, fall a prey to vice and artful infamy.

From the time of his conviction, he entertained but little hopes of getting his sentence mitigated, but yet was greatly shocked when the hour of his dissolution approached. The justice of his sentence he did not deny, but seemed to think it hard that those who were equally concerned in the guilt should escape punishment, and he alone suffer.

Thomas Gortley was cast for personating David Ramsey, a proprietor of 2300l. in the Three *per Cent.* Bank Annuities, and thereby endeavouring to receive the interest due thereon. He was convicted upon the most clear and positive evidence; and, having little to say in his defence, the jury were under the necessity of finding him guilty, without having it in their power to recommend him to mercy, forgery being a crime of so injurious a nature against men of property.

William Cropper, alias Cooper, received judgment of death for breaking and entering the dwelling-house of John Bateman, and stealing a large quantity of silver and gold plate.

The prosecutor kept a very large silversmith's shop, near Red-lion-street, Whitechapel; the prisoner and others, broke into the shop, and stripped it of every thing valuable. The thieves got in, by breaking open an adjoining cellar, which is at the back of the house, and from thence forced their way into Mr. Bateman's cellar, and going up stairs, got into the shop, which they stripped.

Part of the property was found in the possession of Cropper, who was an old offender, and had been tried several times. Articles, to a great amount, were never recovered by Mr. Bateman, who was found to be a considerable loser by their villainous transactions.

This criminal was upwards of forty years of age, and had been long known to be the abettor and accomplice with a numerous gang of plunderers. Whilst he lay under sentence of death, he behaved in a decent manner, but was much shocked at his approaching dissolution.

The above malefactors were tried in May sessions, and executed July 18, 1792.

When persons become habituated to iniquitous modes of living,  
bad



bad company and examples soon render their case desperate. The inordinate and unlawful acquisition of money from the plunder of the sober and industrious public by robbery, fraud, and infernal cunning, tends to harden their minds in vice, till in the end they are immersed in present destruction, and many of them, it is feared, in eternal perdition.—Punishment follows sin, as the shadow the substance.

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*Account of the Trial and Execution of* ROBERT HOUGHTON, JAMES KING KEELING, RICHARD LIGHTOWLER, and WILLIAM MEAD.

**R**OBERT Houghton, a notorious pickpocket, was tried for assaulting Mr. James Perry, and robbing him of a gold watch, a gold chain, and a steel chain, his property.

This criminal attempted to pick the pocket of the prosecutor, who endeavouring to prevent it, the prisoner made use of force, which constituted a street robbery. Mr. Perry, who is an attorney, being in company with another gentleman, they were attacked in the street by a set of pickpockets; they got Mr. Perry's gold watch out of his pocket, on which he laid hold of one of them. Houghton then came up to Mr. Perry, and cut him.

Mr. Perry quitted the person he had hold of, and secured Houghton, who, being taken before a magistrate, and the fact, upon the trial, afterwards fully proved, the jury found him guilty.

The unhappy prisoner, on being taken from the bar, was so dreadfully shocked, that had not a temporary assistance been afforded, he would have sunk under the weight of his affliction. Whilst under sentence of death, he behaved very penitent, but flattered himself with the hopes of a respite, which his friends tried every effort in their power to obtain. But street robberies are become so frequent and daring, that Government has declared they will not pardon any one convicted of that offence. When the warrant for his execution arrived, he was overwhelmed with woe, to so great a degree, that it almost amounted to despair.

James King Keeling was tried and condemned for breaking and entering the house of Humphrey Howorth, and stealing therein a large quantity of plate, his property.

This convict, who was a daring house-breaker, was convicted upon clear and positive evidence. While under sentence of death he appeared but little to grieve, flattering himself with the hopes of getting his sentence changed from death to transportation; but on the arrival of the dead-warrant he was much shocked, and shed abundance of tears.

He owned he had been a great offender against the laws both of God and man, but hoped for pardon and remission of his sins thro' the merits of Jesus Christ.

Richard

## W. WINTER, J. and E. CLARKE, for *Murder*. 119.

Richard Lightowler was convicted of feloniously uttering and publishing, knowing it to be falsely forged and counterfeited, a certain order for the payment of 96l. drawn in the name of George Hardinge, Esq. upon the house of Messrs. Hoare and Co. who are capital bankers, and whom he meant to defraud.

In evidence it appeared, that Mr. Hardinge had dealings with the above bankers; the prisoner came to their house and presented the draft. On inspection, it was discovered to be a forged one; therefore they, in consequence of this discovery, secured him.

In his defence, he said, that he received the draught in the course of trade. This defence not being supported by any witnesses, the jury gave but little attention to it, and, after a short consultation, found him guilty.

William Mead was cast for feloniously stealing a black mare, value twenty-one pounds, the property of Mr. John Wakefield.

This criminal was cast upon the clearest evidence. He was bred to husbandry, but had long followed bad courses, and was known to be connected with a gang of horse-stealers.

They were tried in July, and executed on August 1, 1792.

These unhappy men were brought to this shameful end by addicting themselves to idleness, extravagance, and debauchery, the sure road to ruin. Lightowler, in particular, was said to have been born of creditable parents, who gave him a good education; by which, if properly applied, he might have gained an honest and genteel livelihood. But what numbers are there of this depraved sort, who, by their bad practices, and unhappy deaths in consequence, bring down the grey hairs of their worthy parents with sorrow to the grave! May the rising generation be warned in-time, before repentance comes too late!

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## WILLIAM WINTER, JANE CLARKE, and ELEANOR CLARKE, *two Sisters, for Murder.*

THESE unhappy wretches were found guilty of the murder of Margaret Crozier, of the Raw, near Elldam, in the North part of England. Winter acknowledged the justice of his sentence, but both the girls denied having been concerned in the murder.—The father and brother of Winter were hanged at Morpeth in the year 1790; and such has been the horrid depravity of him who now suffered, that he has not been at liberty six months together during the last eighteen years. The trial lasted upwards of sixteen hours.

They were executed August 10, 1792, without the West Gate at Newcastle.

The girls were afterwards carried to the Surgeons'-hall for dissection, and Winter to be hung in chains near the place where the crime was committed.

*Account of the Trial and Execution of JOSEPH LORRISON, alias JUMPING JOE, JOHN NUTCHER, and PHILIP GEORGE, for Footpad Robberies.*

**J**OSEPH Lorrison, alias Jumping Joe, was cast for assaulting James Dixon, and robbing him of his watch and money. This criminal was 53 years of age, and by trade a cooper.

When apprehended for this robbery, he was dressed in a smock-frock, and the prosecutor could not then swear to him, but on his putting on a coat, which was found in his room, he then swore positively that he was the man who robbed him. Before and after conviction, however, he in the most solemn manner denied his guilt. He was born in the county of Surrey, and resided for several years in the Borough, where he has been long known as a daring and atrocious depredator.

It is said; that he has been tried near thirty times, for various offences; once for the murder of a watchman, and though acquitted, from the evidence not being sufficient, was in general supposed to be guilty; and that he obtained the appellation of Jumping Joe, from his dexterity in jumping into carts, waggons, &c. in order to rob them.

John Nutcher, for committing the above robbery with Lorrison, was also cast for death. He was twenty-six years of age, by profession a waterman.

This convict was ruined by keeping bad company, and getting acquainted with Jumping Joe, and committed several robberies with him, which brought him to the gallows. However, he behaved in a penitent manner, and much lamented the wicked life he had led, hoping that every one would take warning by his shameful end.

Philip George was tried and cast, for assaulting Henry Meriton, at Bermondsey, and robbing him of a silver watch and a metal key.

This unhappy criminal was twenty-five years of age, and by profession a labourer. He behaved in a resigned and penitent manner.

These malefactors were tried at Guildford, Surrey, on the 8th of August, and executed at Kennington Common, August 24, 1792.

Theft, robbery, and the like, are of a contagious nature, and the perpetrators too often glory in their shame. We are told, that the wife of Lorrison seemed to be versed in her husband's vile business; as she said, at a public-house, since his confinement, "If it was not for the *Flats*, how would the *Sharps* live?" We answer, by exercising sobriety, industry, and honesty; which, those who do, prove that they are the only wise, and live and die most happily.

*Particulars*



*Particulars concerning JOHN DAY, of Dereham in Norfolk, who barbarously murdered his Father and Mother, and their Maid-servant.*

THIS inhuman monster, having been one night in bad company, especially of lewd women, surfeiting in drunkenness, came home, swearing and cursing vehemently, requiring money of his sorrowful, terrified parents, who laboured to pacify him with good words, intreating him to go to bed, and sleep that night; and if it appeared in the morning, when he awaked, that he wanted money, he should have it; little thinking that they nourished a viper in their bosom, to sting them to death.

About midnight this graceless son, being come a little to himself, got up with a murmuring mind, and getting softly into the bedchamber of his parents, drew a large knife out of his sheath, and cut his aged father and mother's throats. After which desperate wickedness he remembered the maid-servant, who lay in the loft above, and that she might not come as a witness against him, he went softly up, and finding her asleep, ravished her, and then cut her throat from ear to ear.

Then musing upon the horrid villainies he had committed, the devil put it in his head to set the house on fire, when he had plundered what he thought fit, that, the dead bodies being consumed, it might be thought to have been by accident, and he not be suspected.

But God, who never suffers such monsters in wickedness to go unpunished, even in this world, brought the discovery to light: for though he denied to have been at home that night, and seemed wonderfully sorry at the surprising misfortune, as he termed it, yet living very profusely, and having spent all his money, he was forced to sell the plate he had stolen, which being stopped, upon examination he confessed the fact. Upon which he was sent to jail, where he remained very sorrowful, and he affirms the ghost of the murdered persons appeared to him in frightful shapes, pointing to their ghastly wounds, and in a threatening manner summoning him to appear at the dreadful tribunal of Almighty God, to answer for their innocent blood, that cried for vengeance against him.

After he had some time lain in this sorrowful condition, his trial came on; when he pleaded guilty to his indictment, saying, his youthful sins had brought this heavy judgment upon him, declaring before his sentence he desired to die, as not being fit to live.

The court exhorted him to a serious repentance of his sins, and to pray to God to deliver his soul from blood-guiltiness. He promised to do what in him lay. And a minister was ordered to attend him, and give him ghostly consolation, the short remainder of the time he had to live.

The minister who visited him prayed earnestly with and for  
Vol. VI. No. 64. 1 him,



him, that God would look down in mercy upon him; and wash his sin-polluted soul from blood-guiltiness in the precious blood of the Lord Jesus. The same minister attended him to the place of execution, which exhibited a very affecting scene: here he burst into tears, and advised all young persons to beware of sabbath-breaking, drunkenness, swearing and whoredom, as they valued their peace here and hereafter.

He was executed at Kennington-Common, about the middle of September 1792, and afterwards hung in chains near the bloody spot.

We need only add our earnest wish that youth in general may avoid those sinful practices above recited, which brought him to a shameful and untimely death; and that they will shun as a pest lewd women, who are a complication of evils, and communicate their baneful influence to all connected with them.

*Account of the Trial and Execution of* RICHARD STANNIFORTH, JOHN SMITH *alias* IRETON, THOMAS STICKS *alias* WEED, WILLIAM WANE, JOHN and THOMAS COOK.

**R**ICHARD Stanniforth was indicted and cast, for feloniously stealing out of a certain letter, which had come into his hands, by virtue of his employment as a letter-carrier in the General Post, a bill of the value of ten pounds, belonging to Mr. Scarborough. Mr. Scarborough, who resided at St. Neot's, Huntingdonshire, sent on the 7th of August, 1792, a Cambridge bank note, directed to Mr. Carlisle, No. 73, Great Jermyn-street; this letter being given at the Post Office to the care of the prisoner, he opened it, took the note out, bought some lamb at a butcher's, and there changed it, converting the money to his own use.

John Smith *alias* Ireton, was cast for robbing Mr. James Lewin, near the turnpike, Islington, on the 4th of August 1792, of a silver watch, a chain, and a shilling. He struck at Mr. Lewin with a cutlass, which cut him through the hat, and wounded him in the forehead.

Thomas Sticks *alias* Weed, was convicted for assaulting Mr. Frederick Calby on the highway, and robbing him of a shirt. He first knocked down the prosecutor, and then took the shirt from him.

William Wane, was cast for breaking into the house of William Robinson, Esq; of Broad-street and stealing plate, money, &c. to the value of 250l. and upwards. He was found guilty upon the evidence of Motk, an accomplice.

He owned himself guilty of the crime for which he was to die; and though he exceedingly blamed the accomplice upon whose evidence he was cast, yet he said, he forgave him, and all his enemies. He was a young man, in the prime of life.

John

John Cook and Thomas Cook, were cast for a burglary in the house of Mr. Thomas Davis, and stealing a handkerchief, a pair of stockings, and a quantity of halfpence, to the value of seven pounds.

These two unhappy criminals, who were brothers, were cast upon clear and positive evidence. The prosecutor kept a coal-shed in Chick-lane.

Being in age but boys, they had hopes of receiving mercy, but as they were known to be old offenders, and connected with the gang who murdered Hosty, on Saffron-hill, a few months before, the safety of the public demanded their forfeit lives.

These malefactors were tried in October sessions, and executed October 31, 1792.

Such unhappy persons as the above recorded, who heedlessly precipitate themselves into ignominy and ruin, may be fitly compared to a stock of silly sheep, which passing through a lane, at length, following each other through an opened hedge, leap from the passage into a deep water on the other side, where they are all inevitably drowned. Such is the prevalence of bad examples, and such their awful effects!

*Some Account of the Trials and Execution of* THOMAS RADLEY, JOHN BROWN, WILLIAM GRAHAM, JOHN BONUS, PHILIP DAVIS, *and* THOMAS FOWKES.

**T**HOMAS Radley received sentence of death, for feloniously assaulting Mary-Ann Thellusan on the highway, and robbing her of a gold enamelled repeating watch, with a diamond in the pendant, and some money.—This convict was an old offender. Before the arrival of the dead warrant he appeared very undaunted, but when he found himself ordered for execution, he prepared in earnest for the awful scene then before him.

John Brown and William Graham were cast, for feloniously assaulting Richard Taylor on the highway, on the 24th instant, and robbing him of a watch, value 50s. and two guineas and a half in gold.—Gaming, idleness, and drinking, they declared to be the cause of their coming to so untimely an end. While under sentence of death they behaved in a becoming manner; and when ordered for execution, wept bitterly, and prepared to meet their awful and most deplorable fate.

John Bonus was sentenced to die, for feloniously counterfeiting a receipt of 127l. 11s. 7d. in the name of George Smith, purporting to be subscribed by him for himself and his partners, Edward and Runney Payne, with an intent to defraud these gentlemen.—This unfortunate convict was born of creditable parents, from whom he received a genteel education, but being fond of an idle

and extravagant life, committed the before-mentioned crime for which he was executed.

Philip Davis was executed for feloniously assaulting Edward Peter on the highway, putting him in fear, and taking from his person, against his will, one guinea and a half, his property.— This wretched convict had long subsisted by committing depredations on the public until overtaken by the hand of justice; when, alas! he too late saw the error of his past life. He begged every one to take warning by his fatal end, and avoid idleness, drinking, gaming, and the company of lewd women, which had been the cause of his coming to such a dreadful and untimely end.

Thomas Fowkes received sentence of death, for feloniously assaulting William Dunn on the highway, beating him in a cruel manner, and robbing him of twopence halfpenny.

They were tried in November sessions, and executed Dec. 26, 1792.

Oh that men were wise in time, that they would shun the paths of error and ruin, that they would consider their ways, and tread the narrow way that leads to happiness and peace!

*The Trials and Execution of* HENRY GRIFFIN, *alias* GEORGE HOBART. *alias* the DUKE of ORMOND, *alias* LORD MASSEY, THOMAS MONTAGUE GLOVER, THOMAS HENLEY GEORGE RANKEN *alias* GOODALL, ABRAHAM MAHEW, WILLIAM BATEMAN, FRANCIS POPE, and ISAAC MOORE.

HENRY Griffin was indicted for feloniously forging, uttering and publishing as true, a certain paper writing, commonly called an inland bill of exchange, purporting to be drawn by the Earl of Tankerville, upon Messrs. Coutts and Co. bankers, London, requiring them to pay to Lord Massey, or bearer, fourteen hundred and forty-nine pounds, with intent to defraud Charles Green, and his co-partner Robert Willerton; he the said Griffin, alias Hobart, at the time of such uttering and publishing the said bill of exchange, well knowing the same to be forged and counterfeited, against the statute.

Mr. Green deposed, that he was a jeweller, in partnership with Mr. Willerton, living in Bond-street; on the 16th of March, 1791, the prisoner came to their shop, appeared grand, and desired several articles of jewellery might be sent to his apartments, No. 36, St. James's-Place, leaving at the same time a copper-plate card, with his assumed name of Lord Massey upon it.

About four in the afternoon Mr. Green went to the house, and was ushered up stairs into the dining-room by a servant in livery; he

he there saw the prisoner, and had a short conversation, when the servant announced the arrival of Dr. Hunter, and he was requested to withdraw; a few minutes after the Doctor's departure, the prisoner looked at the goods Mr. Green had brought, and purchased a pair of diamond ear-rings, a gold watch set with diamonds, a chain, and other articles, and gave him a draft for 760*l.* signed Lord Tankerville, and payable to Lord Massey. The note was refused; he returned to the prisoner, and found him gone.

This criminal, whose exploits have rendered him so famous in the annals of fraud and gallantry, was born in America; his father was there killed, and he had a commission given him; but living extravagantly, sold it and came to England, where, sometimes pretending to be Lord Massey, the Duke of Ormond, &c. he defrauded noblemen, gentlemen, bankers, &c. of various sums of money. to a large amount; until the hand of Justice stopped his career of wickedness.

His person was handsome, his air and mien genteel; and happy would it have been for himself, and beneficial to the public, had he employed his good sense in honest pursuits. He was 25 years old.

Whilst under sentence of death, being sensible of his approaching fate, he prepared to meet it like a man and a christian. Being in no want of money, he behaved to his fellow-prisoners in the most charitable manner.

Thomas Montague Glover, was cast for forging a certain order for the payment of money. purporting to be the order of Messrs. Tomkins and Co. on Hugh Parnell, for the payment of a large sum of money to the bearer John Smith, with intent to defraud Benjamin Tomkins, John Cole, and John Maud.

Thomas Henley, cast for robbing in a dwelling-house. This was a daring robbery; he went to the house of Mr. Key, said he wanted to speak to him, and being shewn into the counting-house, presented a pistol, and demanded his money. Mr. Key gave him six guineas, but on his demanding a pocket-book, knocked the pistol out of his hand, and he was secured.

This criminal was born in Ireland, and had lived in various capacities; immediately prior to this robbery he worked for the letter-founders.

George Ranken, alias Goodall, and Abraham Mayhew, were cast for feloniously and burglariously breaking and entering the house of Mary Blackmore, and stealing a silver waiter, a silver tankard, a silver pint mug, &c. The chief witness against these criminals was the niece to one of them, who, though but a child, gave a clear account of their transactions, and appeared well acquainted with the iniquitous business they followed. They were both notorious housebreakers, and old offenders.

William



William Bateman, cast for returning from transportation. This criminal was found at large before the expiration of his time, and what aggravated his offence was, that he had committed various felonies since his return.

Francis Pope, was cast for breaking into the house of Ann Conolly, and stealing three coloured aprons, a silver tea-spoon, four silver tops for cruets, &c. This convict behaved in a penitent manner.

Isaac Moore, a letter-carrier, was cast for stealing bank notes out of the letters intrusted to his care. Before this fatal fraud, he bore a good character.

They were tried in December sessions, 1792, and executed Feb. 13, 1793.

How often do we see, as in the case of Griffin, that the best talents and endowments are abused to the basest purposes! How much less pains would it cost many persons to live comfortably and with credit, than they take to become profligates, live miserable, and die disgracefully!

As a specimen of poetic talents, we copy the following SOLILOQUY, said to have been found in Griffin's cell after his execution:

SHALL he ignobly in a rope expire  
 Whose hand can wake to ecstacy the lyre?  
 Shall he be branded with the mob's harsh curse,  
 Who oft' hath pour'd the sweetly vary'd verse?  
 Whose manly Muse, indignant of controul,  
 Can wake such notes as harrow up the soul?  
 Or paint, with social sympathy impress,  
 The rapt'rous anguish of a lover's breast?  
 Yes, say, shall one, endow'd with gifts like these,  
 Wit, sense, good humour, elegance, and ease,  
 For erring once amidst the storms of strife,  
 Be rudely blotted from the book of life?

Tho' Justice, leaning from her seat sublime,  
 Demands a due atonement for each crime,  
 Yet doom me not to mingle with the dead,  
 With all my imperfections on my head;  
 Let me to earth's extremest verge be driv'n,  
 That penitence may smoothe my way to Heav'n?  
 Ah! no, what solace can existence give  
 To one condemn'd in infamy to live?  
 Who, scorn'd by others—of himself ashamed,  
 Is humn'd, and spoke of—only to be blam'd.

When

When Truth and Virtue from the breast depart,  
The clouds of sorrow gather round the heart;  
And keen Remorse, where e'er we chance to stray,  
Becomes the sole companion of our way.

Yet, tho' degraded to a state like this,  
And 'rest of social and domestic bliss,  
If doom'd to visit that opprobrious land,  
Where impious exiles form a desperate band,  
Some sober scheme I'll studiously enforce,  
And self-repenting, tread in Virtue's course;  
A little useful seminary found,  
And spread the flame of Reformation round;  
Instruct the offspring of ill-fated hinds,  
And sow the seeds of wisdom in their minds;  
Teach them to teem with sympathetic thoughts,  
And weep in pity o'er another's faults;  
'Till, wak'd to prudence by their parents' shame,  
They grow ambitious of a virtuous name.

But, ah! what favour can I hope to find?  
No glimpse of pardon dawns upon my mind;  
Fate calls my trembling spirit to the skies,  
And ignominious death must seal mine eyes!

To Thee, great God, whose piercing eye can dart  
Through the dark windings of the human heart,  
To Thee I pour my supplicating cries——  
For Thou art, yet, as merciful as wise;  
Oh! deign from thy ethereal throne to hear  
The invocation of a soul sincere:  
And, since thy goodness has allowed me time  
To see my error, and repent my crime,  
Oh! grant an earnest of eternal day,  
Nor cast thy prostrate penitent away!



*Particular Account of the Trial and Execution of WILLIAM  
HICKS and ALEXANDER ELDER.*

**W**M. Hicks was cast for feloniously assaulting William Reading on the King's highway, putting him in fear, and robbing him of a black silk cloak and other articles, his property.

On the trial of this prisoner it appeared, that he knocked down the prosecutor, and took the cloak from him, as stated in the indictment; but an alarm being given, he was immediately pursued and taken. The charge he could scarcely deny, but called some people to give him a character.

This

This prisoner was born of poor but honest parents, who did all in their power to instruct him in those ways by which he might gain an honest livelihood, be a credit to himself, and useful to society. But getting into bad company, going a bullock-hunting, and idling away his time, proved his ruin, and brought him to disgrace. He was married to an honest young woman, with whom he might have lived happy, had he but taken the advice she gave him. He has left a child too young to know his father's misfortunes, and his wife big with another.

Alexander Elder, for stealing in the dwelling apartment of James Fletcher, a pair of stays, his property.

This wretched convict had long subsisted by committing depredations on the public, until overtaken by the hand of justice; when, alas! he too late saw the errors of his past life. He begged every one to take warning by his fatal end, and avoid idleness, drinking, gaming, and the company of lewd women, which had been the cause of his coming to so dreadful and untimely an end.

After conviction, they behaved in a manner suitable to their dreadful situation, spending their time in a due preparation for that awful change they were soon to undergo.

These unfortunate men desired the spectators to avoid sabbath-breaking, the forerunner of every evil.

These two malefactors were tried in March sessions, and executed May 8, 1793.

As the Latin poet justly remarks, *Mens humana ruit in vetitum nefas*; that is, "Mankind rush on forbidden wickedness." In vain are so many friendly warnings given, and such shocking executions exhibited, while the depraved hearts of men precipitate them, like an impetuous torrent, into the most atrocious crimes and irregularities. But this evil, though lamentable, is not incurable. And as it owes its main source to the want of a proper attention in poor parents to the education of their children, in not setting them good examples, and not restraining them as much as possible from bad company,—so we hope the institution of Sunday Schools, the Philanthropic Society, &c. will prove the happy means, among others, to promote the moralizing of youth, and be greatly beneficial to thousands of the lower class among us, to the latest posterity. Ignorance is not the mother of devotion (as the papists falsely affirm), but of crimes; for when the minds of youth are uninstructed, and thereby rendered incapable of knowing their duty, they become susceptible of every bad impression, lie open to all temptation, and, in consequence, associate with wicked companions, who, after enticing them to commit villainy, frequently accompany them to an untimely and ignominious death at the gallows.

*A very singular and extraordinary Character: exemplified in the abandoned and profligate Conduct of ROBERT WALPOLE CHAMBERLAIN, who, after proving himself a Monster of unbounded Dissipation, Vice, and Debauchery, terminated his short, but wretched and worthless Existence at the Gallows, August 5, 1793, being then only Twenty-three Years of Age.*

**T**HIS thoughtless young spendthrift and footpad, who was executed as above, on Kennington Common, had his life marked by very strange vicissitudes. He was found guilty, at the Croydon Assizes, of having some time before committed a footpad robbery, attended with many circumstances of cruelty, upon Capt. Bellamy, near Epsom; and was hanged some short time after with a Coiner, of the name of Vernon. His father was a butcher in Leadenhall-market, who died while he was very young, and left him to the care of a mother, who was too foolishly fond to exercise any controul over him. As he had no inclination for business, he was allowed to pass away his time idly, and his mother gave him a regular supply of 200*l.* per annum, to enable him to live like a gentleman. She also occasionally paid his debts, which he was by no means sparing to contract.

To supply, however, extravagance with greater prodigality, he had recourse to robbery, and was twice capitally convicted, but had the good fortune to get the punishment commuted for transportation. On the first conviction he was permitted to transport himself, which he did, to Ireland, till part of his time was expired, and the rest remitted; he also got off the second sentence, and his mother dying about the same time, left him a legacy of 10,000*l.*! On this occasion he was seriously advised, if possible, to retrieve his character, and, that he might not have the temptation of want for the renewal of his offences, the executor of his mother's will suffered him to draw upon him at discretion. But so indiscreet and imprudent a use did he make of this indulgence, that, in less than three years, nearly all the money was exhausted. He had for some time existed by depredations, and was taken for a house-robbery. While in prison, Mrs. Bellamy recognized him; and, at the age of three and twenty, he suffered for a robbery committed two years before, after squandering a very respectable fortune. He demeaned himself decently at the gallows, and his body was taken away in a hearse.



The particulars of the robbery for which he paid his life a forfeit, are as follow: Mr. Bellamy deposed, that on the 6th of June, 1791, he, in company with Mrs. Bellamy, his wife, was stopped in a post chaise near Epsom, by three footpads, who demanded his watch and money, and threatened to blow his brains out if he refused: that he (Mr. Bellamy) presented a pistol at them, and said he was ready for them; on which the prisoner (Chamberlain) fired a pistol into the carriage, and immediately afterwards, with one of his companions, dragged Mr. Bellamy out of the chaise, took his watch and money from him, and then wounded him with a cutlass in a very dangerous manner.--- Mrs. Bellamy corroborated the whole of her husband's evidence, and positively swore to the person of the prisoner, who, she deposed, took bank notes from her to the amount of 90l. telling her, that he would blow her brains out if she turned her head; and that he would teach Mr. Bellamy to carry pistols again: that on the 1st of May last, she was sent for to the New Gaol in the Borough, where she immediately recollected the prisoner, who turned from her, and could not be prevailed upon to look her in the face.

This unfortunate man affords a very striking example of the precarious and dangerous reign of prodigality, which is generally attended with an ignominious termination---ignominious, either by incurring the judgment of the laws of our country, or lifting up the knife of self-destruction. May the unfortunate end of the abandoned Chamberlain be a warning to all prodigals!

*Account of the Trials, Execution, and Behaviour of  
JAMES RANDALL and SAMUEL YOUNG, for High-  
way Robbery; and JOHN SEVILLE WRIGHT, for  
Burglary.*

**J**AMES RANDALL was tried in September Sessions, 1793, for robbing James Seyers, on the highway, of two guineas and a half in gold, and nine shillings in silver; he was found guilty on the clearest evidence.

This man had been capitally convicted before in October Sessions, 1791, for felony, but his Majesty was graciously pleased to give him a free pardon, which, instead of using as he should in repentance and atonement for his past folly, he again violated the laws of his country, and abused the mercy of his Sovereign!

At the same time SAMUEL YOUNG was tried for, and found guilty of, robbing Benjamin Burroughs, on the highway, of a metal watch.

JOHN SEVILLE was indicted for stealing a great variety of articles of plate, to the amount of many hundred pounds, the property of the Hon. John York, in the dwelling house of Richard Hemmings, and Eleazar Lazarus, for receiving them, knowing them to have been stolen.

Mr. Hemmings is an eminent silversmith in New Bond-street. He stated that the prisoner became his servant on the 9th of April last, and left him on the 7th of August. He was Mr. Hemmings's porter, and was to open and shut up shop, and do other things. It was a custom with gentlemen, when they left town, to send their plate either to their silversmith or their banker's, there to be deposited for safe custody. Plate came in abundance to the house of Mr. Hemmings; and the prisoner

used to carry it into a strong room-built for the purpose of receiving such property; by which means he knew where the plate was. There was a strong cellar with a double door, and the window fortified with iron bars; it looked into the garden, a little below the surface of the soil adjoining this room. The bars of the window were not wrenched when the robbery was committed, but remained as they were. There was a hole made in the brick wall, by pulling some bricks out of it from the side of a leaden pipe, large as the circumference of a man's hat; but these bricks were put together again loosely, so that in all probability there would have been no suspicion of the robbery until Mr. York should have arrived in town, and sent for his plate, had it not been for some information given to Mr. Hemmings of the robbery the night the prisoner had left his service. So little suspicion had Mr. Hemmings of the honesty of the prisoner, that he desired him to come to his house, the next day, to assist the servant who was to succeed to his place.

— Fisk gave a long account of the circumstances of this robbery: he said, he knew the prisoner for three years; that his name was not Seville, but Wright; that he, Fisk, at the time the robbery was committed, was servant to Mr. Roch, a silk mercer, as his porter; that a person of the name of Thornby was concerned with the prisoner in this robbery, but had escaped; that the prisoner told the witness, that he had got a tea urn, and that he had sold it to a Jew; that he had made a hole in the wall, where the plate was, in his master's house; that the prisoner wanted him to rob his master of silks, as he did his of plate; but that he refused to do so; and that he had no  
con-



connection in any of the robberies of which the prisoner was guilty.

On his cross examination he was compelled to confess that he himself stood accused of robbing his master, and that he gave this evidence in consequence of a promise, that if he did, he should not be prosecuted: in short, he proved that he was, what Mr. Justice Grosse stated him to be, as wicked and as infamous a fellow as could live in society.

Several witnesses, however, corroborated many of the circumstances related by this accomplice. In particular, seven labels for wine bottles were found in the house where Thornby, the prisoner's partner, lodged. These labels were proved by Thomas Coke, a servant of the Honourable Mr. Yorke, to be his master's property. These labels were only worth 10s. or 12s. There was a vast variety of plate candlesticks, of the value of 4l. a tankard, of the value of 10l. and all of them were stolen out of Mr. York's chest.

Mr. Justice Grosse observed to the Jury, that the accomplice deserved no credit for one word he uttered, except where he was corroborated by other evidence; and also, that if they were of opinion the prisoner did not steal, *at one time*, more than the value of 40s. he should be acquitted. He left the whole to the Jury.—*Guilty—Death.*

The prisoner applied to the Court for an order to restore to him the property taken from him when he was committed, which amounted to 40l.

Mr. Justice Grosse said, that he was now a felon, and therefore his property was forfeited.

There being no evidence to affect Lazarus, he was of course acquitted.

These three unfortunate men were executed pursuant



pursuant to their sentence, on Wednesday, Nov. 13, 1793, at the Old Bailey, opposite the debtor's door---they all behaved very penitent---Young protested he was innocent of the crime for which he suffered. Though it is a melancholy thing to think that an innocent man should suffer, yet it is to be hoped that he did not die with a lie in his mouth, as such an unavailing falsehood would only be an aggravation of his guilt in the sight of God!!

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*A full and particular Account of The Life, Trial, Condemnation, and Suicide of the notorious Swindler, LAWRENCE JONES, who was to have been executed December 8, 1793.*

**L**AURENCE JONES, the unfortunate subject of these pages, was born in London, of respectable parents, whose too great indulgence towards him in his early years probably led to his unhappy end. He received a genteel education, and possessing a good address, he introduced himself into the first company, which unfortunately led him into habits of extravagance his income was not equal to; though he enjoyed a lucrative employment in one of the public offices, where, being detected in some mal-practices, he was discharged. His means of subsistence being now entirely gone, and his character also, he found himself under the necessity of doing something in order to support both himself and a lady of easy virtue with whom he cohabited, to whose extravagance there was no end. He therefore determined to commence swindler, which he continued for some time with success, till being suspected, he was apprehended about seven years ago, and committed

mitted to Newgate, where he contracted an acquaintance with the noted George Barrington, who was then also in confinement previous to his transportation to Botany Bay. A quarrel once arising between Barrington and Jones, a battle ensued, in which Barrington came off the conqueror, and Jones was beat in a shocking manner, and, for which, it appearing Barrington was the aggressor, he was confined in the cells of Newgate.

The sessions arriving when Jones was to be tried, he was acquitted for want of sufficient evidence. Once again at liberty, and having a considerable sum of money left him by a relation about this time, he resolved to set up in his old trade on a very extensive scale, for which purpose he took a handsome house in St. James's, which he had elegantly furnished---kept his carriage and servants, who, by the bye, were accomplices, to carry on the deception, which he did with great success for some months.

During his abode in this place, he defrauded Mr. Hudson, a silversmith, of plate to the value of near 3000l.; Mr. Kempton, a mercer, of silks and other goods, to a large amount; and Mr. Bailey, a watch-maker and jeweller, of a gold repeater, value 60l. a necklace, ear-rings, and other trinkets, to the value of near 300l. The time of payment at last coming on, and some suspicion being entertained of his pretensions to property, he thought it high time to decamp, which he effected just in time to escape a warrant out against him. After this he lived privately for some time, that suspicion might die away, before he again began his fraudulent practices, which he carried on with his usual success, till he failed in the affair in Hatton-garden, for which he was condemned,

demned, the particulars of which are as follow:

Mr. Campbell, who unfortunately became a dupe to their deep laid artifices, was the collecting clerk to Vere, Lucadou, and Co. bankers, in Lombard-street, and in the course of his business, he called at a house (which was hired for the express purpose of preying upon the unwary) for the payment of a bill, a scheme concerted before by the villains. No sooner had he knocked at the door than it was opened by a person, in appearance a gentleman, who desired him to walk into the counting-house, which was backwards, which he accordingly did; and when he came there, a man came behind him and covered his head and face over with a thick cap, so that he could see nothing. They then threw him upon the floor, and wrapped him up in a green baize, in which condition they bound him hand and foot, and carried him down stairs, when they proceeded to rob him.

They took from him his pocket book, containing bank notes and bills to the amount of nine hundred pounds, which they secured. They next took measures to prevent a discovery before they should receive the money for the bills, &c. with which one of the gang immediately went out to turn them into cash, while the rest, in the mean time, handled the unfortunate young man in the following manner:

They first laid him flat on his back on a board, and chained him hand and foot, and then carried him down stairs into a back kitchen, where they chained him to the bars of a copper grate, threatening, at the same time, that if he made the least noise, they would blow his brains out. They then left him, after placing before him some bread, some ham, and some water.

In



In this condition he remained for about eight hours, not daring to make the least noise, expecting every moment to be murdered if he spoke: But providence preserved him from this dreadful fate, for hearing no more of them for so many hours, he at last had the courage to call out, thinking it better to have his brains blown out at once than perish in that miserable condition.

After crying out with all his might for near three hours, his cries were at last heard by a man who was at work in a house behind that in which Mr. Campbell was confined. The man had the resolution to break open the door of the house from whence the noise proceeded, when, directed by the cry, he went down stairs, and there discovered the unfortunate man almost expiring, exhausted with struggling and crying out so long.

It was not long before he was set at liberty, and restored to his friends, to their great joy, and infinite satisfaction of his employers.

Jones was apprehended by Jealous and Kennedy, officers of Bow-street, at the King's Arms, in Bridge-street, Westminster. Kennedy seeing that he agreed with the description of his person, as lodged at Bow-street, respecting the man that opened the door to Campbell, he took him into custody, with the assistance of Jealous.

Before they attempted to search him, it was judged expedient to call in some assistance, Jones being rather of a refractory disposition, and fearing a rescue might be attempted, there being a great concourse of people in Palace-yard, some of whom might have been his companions.

For that purpose Jealous went out, and left his prisoner with Kennedy till he should return. During Jealous's absence, Jones became very impor-



fortunate with Kennedy, respecting the cause of his being apprehended.

On Jealous's arrival with a reinforcement of four, viz. M<sup>c</sup>Manus, Carpmeal, Townsend, and Lavender, Jones was searched, but nothing of consequence found upon him, except a direction to his lodgings, which he attempted to snatch from Townsend's hand, but failed.

They then proceeded to conduct him to a place of safety, but just as they had all left the room, Kennedy desired Carpmeal to return, look into the fire place and see if there was any thing there, the prisoner having stood with his back against that place; which he did, and returned with a handful of bills and notes; they then proceeded to a place of security, where they left him, and immediately set off for his lodgings in Peckham-Rye-lane, which was the place specified on the paper found in Jones's pocket; and on their arrival there found his wife, his brother, and two other persons, all of whom they brought to town, together with a great quantity of papers, among which was a letter to Mr. Pitt, the contents of which are not ascertained. On his examination he behaved very insolently.

Being committed to Newgate, he was afterwards tried and found guilty, when he received sentence, and was ordered for execution on Wednesday, Dec. 8, 1793, in Hatton Garden, near the house where he committed the robbery, but on Saturday previous thereto, about six o'clock in the morning, when the turn-key entered the cell to prepare him to hear the condemned sermon and receive the sacrament, he found him dead. It appears that he had made several attempts on his life before, but was prevented, and the manner in which he at last accomplished this worst of all crimes, was

very

very extraordinary—he had taken the knee strings with which his fetters were supported, and tied them round his neck, then tying the other end to the ring which his chain was fastened to, he placed his feet against the wall and strangled himself, his effort must have been great, but no doubt the devil, wishing to secure his prey, lent him a helping hand. On Monday the coroner's jury, having examined the body, pronounced a verdict of *felo de se*.

In consequence of the above verdict, the body was, on Wednesday morning, carried out of Newgate, extended upon a plank on the top of an open cart, in his clothes, and fettered, his face covered with a white cloth, to the brow of Holborn-hill, directly opposite to the end of Hatton Garden. The procession was attended by the sheriffs, city marshals, and near 500 constables. Being arrived at what may be called the place of execution, the body was deposited in a very deep pit, and a stake driven through it, according to the coroner's verdict. The concourse of people on this occasion was very great.

The accumulated guilt of this man, and particularly the wanton destruction of himself, must make every charitable christian shudder at his fate--instead of repenting of his enormous sins, and beseeching Heaven to pardon them, he shortens the short date of life that was allotted him, and hastens with rash precipitation into the presence of an offended God.—He died in the commission of a crime---self-murder, as enormous as any of the former he was guilty of. Such horrid presumption and violence render his fatal catastrophe awful indeed!

*The remarkable Trial and Condemnation of THOMAS MUIR, the Younger, of Huntershill, Edinburgh, and the Reverend T. F. PALMER, for seditious Practices.*

**I**N the month of August, 1793, came on the trial of Mr. THOMAS MUIR, the younger, of Huntershill, for seditious practices.

The prisoner, in the indictment, was accused of wickedly and feloniously exciting, in November 1792, at different meetings at Kirkintilloch, Campsie, &c. denominated societies for reform, by means of seditious speeches and harangues, a spirit of disloyalty and disaffection to the king and the established government--of advising and exhorting persons to purchase and peruse seditious and wicked publications and writings, (viz. Paine's Works, a Declaration of Rights, the Patriot, &c.) calculated to produce a spirit of disloyalty and disaffection to the king and government--of distributing or circulating a seditious writing or publication of the tendency aforesaid, or causing to be distributed or circulated such seditious writing or publication---of producing and reading aloud, in a public meeting or convocation of persons, a seditious and inflammatory writing (viz. An Address from the Society of United Irishmen in Dublin, to the Delegates for promoting a Reform in Scotland) tending to produce in the minds of the people a spirit of insurrection and opposition to the established government---and publicly approving of and recommending, in the said meeting, such seditious inflammatory writing, &c.

To these charges Mr. Muir pleaded Not Guilty. —He said he had nothing to observe on the relevancy; he would trust himself entirely to the jury.

jury. He had given in, when last before the court, written defences, in which he declared the libel to be false, and that he would prove that he all along supported the constitution. Being asked if he had any other defence, he said he wrested upon his written defence; he had uniformly advised the people to pursue legal and constitutional measures; and that he had also advised them to read all books written upon the great national question of reform.

The jury being named, Mr. Muir objected to every one of them; he said, that as the gentlemen, however respectable, were all subscribers to the Goldsmith's Hall Association, and had offered a reward for discovering those who had circulated what they deem seditious writings, they had already prejudged him, and were, therefore, improper persons to pass on his affize.

The solicitor general, in reply, said, that their lordships were equally precluded, as they had, with every friend to the constitution, condemned the writings of Paine.

The court unanimously repelled the objection.

The first witness called was Alexander Johnston, bleacher, at Kincaid Bleachfield. Mr. Muir objected to his testimony, as he could produce evidence to prove that the witness had said he would do every thing in his power to have him hanged. The court repelled the objection, and the witness swore, that Mr. Muir was present at a meeting of the friends of the people at Kirkintilloch, in November last, where he harangued the people; in which he observed, that this country was not properly represented. He entered into a comparison between our constitution and the French, and said they were more equally represented, two thirds of their national debt paid,  
their



their taxes less, and that they would be successful; advised them to petition parliament, and publish their proceedings. On a cross interrogatory, the witness said, that Mr. Muir recommended peace, for any tumultuous act would ruin their cause.

Robert Widdell, a vice-president of the society, was likewise present at the meeting, and heard Mr. Muir say something about the unequal representation of the people—and that Paine's works were foreign to their purpose.

Mr. James Lapside, minister of Camplie, was objected to, as being present at the precognition of the witnesses, taking notes, and even putting questions to some of them. Several witnesses were examined upon this point; and the fact being proved, the lord advocate gave up his evidence.

Henry Freeland preses of the society, also heard Mr. Muir's speech. After the society broke up, Mr. Muir, Freeland; and others, retiring to a public-house, the witness expressing a wish to see Paine's works, Mr. Muir said, he had a copy in his great coat pocket which he might read; that he accordingly did so, and lent it to several of his neighbours.

Here the trial was interrupted for some time by a requisition from Mr. Muir, that a gentleman at the clerk's table should be inclosed as an exculpatory evidence; which, after a little altercation, was passed from.

William Muir declined swearing. He said, it was against his principles, as he was a Mountaineer. Being told he must either swear or go to gaol, whence he would never be liberated, he said he could not help it; he hoped the Lord was there as well as any where else. He was accordingly committed

committed. His scruples being afterwards removed by the Rev. Mr. Dun, he was examined, and swore he saw Freeland take Paine's works out of Mr. Muir's pocket; and that Mr. Muir gave the witness a copy of the Political progress, and ten or twelve numbers of the Patriot; that he desired him to shew them to the members of his society, and would not take them back.

Anne Fisher said she was servant to Mr. Muir's father in autumn last, and that he was then much employed in reading and writing, but she did not know what; that she carried from him to the printer, a Declaration of Rights, marked with some corrections, to be reprinted; that a number of country people coming to the shop of Mr. Muir's father about this time, a deal of conversation passed concerning Paine's Rights of Man, which she has heard the prisoner say was a good book; that she several times bought both parts of the book, and gave them to different people; that Mr. Muir wished his hair-dresser, (Mr. Wilson) to purchase them, and keep them in his shop to enlighten the people, saying that it confuted Burke entirely; that she has seen the Paisley Declaration in Mr. Muir's house, and a Dialogue between the Governors and the Governed, which last he said was very clever, and written by one of the first men in France; that she heard Mr. Muir read part of the Paisley Declaration in his father's back shop, and that the common topic of his conversation was politics; that Mr. Muir said, when the reform took place, he would be member for Calder; that members would then be allowed 30s. or 40s. a-day, and that none but honest men would be admitted to keep the constitution clean; and when the constitution was put under a proper foundation,

foundation, they would get new counsellors, who would govern the nation with justice; that France would soon be the most flourishing kingdom in the world, for they had abolished tyranny; that she has caused the organist in the streets of Glasgow to play *Ca Ira*, at Mr. Muir's desire.

Thomas Wilson, barber, said that Mr. Muir exhorted him to purchase Paine's Rights of Man.

John Muir said that Mr. Muir's maid bought a copy of Paine for him.

James Campbell, writer to the signet said he was present at a meeting of the convention of delegates in December last; that Mr. Muir read the address from the United Society of Irishmen, and moved that it should be answered; which was opposed by others in the society, and at last negatived.

James Denholm, writer in Edinburgh, deposed to the same effect.

Mr. Muir having admitted the declarations he emitted at Edinburgh and Stranraer to be his, and also the pocket-book and papers found upon him, the evidence for the crown was closed.

#### *Evidence for Mr. Muir.*

William Skirving of Strathruddle said, that Mr. Muir went to London, to be present at a meeting of the Friends of the People that he received a letter from Mr. Muir at London, giving an account of what he did at the meeting; that it was the opinion of the society in London that he should go to France, in order to see if he could have any influence to prevent the execution of the king; that he received a letter from Mr. Muir at Paris, informing him that he would return to his friends in Scotland immediately; that

that he had frequently been in company with Mr. Muir, both in societies and privately, and never heard him speak against the constitution, but the reverse; that his whole conduct was of a contrary tendency, and that he disapproved of Mr. Paine's principles of government. He (Skirving) was secretary to the general convention.

James Campbell, writer to the signet, produced two letters received from Mr. Muir in France, expressing his sorrow, for being obliged to leave so amiable a circle. He never heard Mr. Muir speak against the constitution, but has heard him say Paine's works were dangerous for weak minds.

John Buchanan, William Johnston, Esq. Maurice Thompson, Charles Salter, Mr. Reid, and a great number of other witnesses, swore to the regular and peaceable behaviour of Mr. Muir; and all of them concurred that he uniformly declared his respect for the constitution; said it was an excellent constitution, the best in the world, and that the king was the father of his people; that upon all occasions he recommended the same principles to the different societies with which he associated.

The lord advocate addressed the jury. He said, that if in the range of his official duty, in bringing persons to the bar accused of similar offences there had been any one whose conduct was more peculiarly marked by the spirit of diabolical mischief, this was the man! Under the pretence of reform, he had been at particular pains to instil into the minds of the uninformed and unwary, doctrines of the most pernicious tendency, destructive of all order, and calculated to overturn the constitution; and by an insidious comparison between France and this country, had left no room



to doubt that his wish was to introduce the same anarchy, which in that infatuated nation, had occasioned such bloodshed and ravage. Of the writings of that wretched outcast Paine, he would say little. The opinion of the country sufficiently marked the detestable in which they were held. The boasted interference of the prisoner, to save the unfortunate king of France, sufficiently pointed out that he was a missionary to that country.

His lordship then recapitulated those parts of the evidence, which, in his opinion, indelibly stamped the criminal intentions of the prisoner, whose actions justified his stigmatising him as the pest of Scotland. He concluded, by demanding from the jury such a verdict as their regard for their country and its laws, which they were bound to preserve inviolate, and the voice of their conscience, must naturally dictate to them.

Mr. Muir then rose. He said, that amidst the inquisitorial keenness of his adversaries, aided as they had been by domestic spies, it was a consolation to him that his moral character had been unimpeached. The accusation of sedition was merely a pretext: his real crime was, he had been a friend to reform; and to this charge, had it been so laid, he would have pleaded guilty at once. But why should he be singled out as a victim on this occasion? Were not the present minister, Mr. Pitt, and the duke of Richmond, at one period, equally the advocates of reform? And if he was the pest of Scotland, with equal propriety might they be termed the pest of England.—Nay, not to go out of court, was not the lord advocate himself, not many months ago, a reformer, in being a delegate for amending the representation of the counties of Scotland? he quoted

ed Blackstone, to show that his opinion of the representation of this country was similar to his own.

As to the affairs of France, of which so much had been said, with respect to some advantages they possessed, by their constitution and mode of taxation; he had only stated facts, which he trusted could not be considered seditious. He denied his having any mission to that country, and unless any anxiety to prevent the effusion of blood were criminal, no circumstance attending his visit to that country could be deemed so. He then mentioned the circumstances which occasioned the delay of his return to this country from France; the difficulties he encountered in effecting it, and the readiness he had ever shown to subject himself to a verdict of his countrymen. He concluded with an earnest appeal to the jury, as they regarded their future peace of mind, to return a verdict of acquittal. The lord justice clerk having summed up the evidence, the court rose about two in the morning, and at twelve on Saturday the jury returned a verdict, finding the prisoner guilty.

The court then sentenced Mr. Muir to be transported beyond seas, to such place as his majesty, with the advice of his privy council, should judge proper, for the space of fourteen years.

Mr. Muir observed, that had he been carried from the bar to the scaffold, he would have met his fate with equal coolness, so convinced was he of the justice of his conduct.—He was then conveyed to the Tolbooth.

At Perth, in the month of September, the Rev. T. Fishe Palmer was found guilty of writing a seditious hand-bill. His sentence was seven years transportation.

On the first of December, Mr. Thomas Muir and the Rev. T. F. Palmer arrived in the river from Leith on board a revenue-cutter. Orders were sent down for delivering them into the custody of Duncan Campbell, the contractor for the hulks at Woolwich; the former in the *Prudentia*, and the latter in the *Stanislaus*. They were in irons among the convicts, and were ordered to assist them in the common labour, on the banks of the river. Mr. Muir associated with about 300 convicts, among whom he and Mr. Palmer slept after their arrival. Mr. Muir was rather depressed in spirits; but Mr. Palmer appeared to sustain his misfortune with greater fortitude.

Several attempts were made by Mr. Sheridan, &c. in the House of Commons to have the sentence revoked, but all means proved ineffectual.

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*The remarkable Trial, &c. of the Rev. RICHARD BURGH, THOMAS TOWNLEY M'CAN, JAMES DAVIS, JOHN CUMMINGS, and JOHN BOURNE, for a conspiracy to set fire to the King's-Bench.*

**T**HIS trial came on before the judges of the Court of King's Bench, and a special jury. The indictment charged the prisoners with a conspiracy, in attempting to demolish the walls of the King's Bench prison, in order to effect their own, and the escape of other prisoners, and with having, for that purpose, introduced a large quantity of gunpowder.

Mr. Garrow, as one of the counsel for the crown opened the pleadings.

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The attorney-general then stated the case with his usual abilities and precision. He said he flattered himself it would be found that he had done no more than his duty in bringing the several defendants before the court, The offence with which they were charged was of the utmost importance to the peace and safety of the capital; for it not only had for its object the demolition of the King's Bench prison, but involved the burning of other houses, bloodsheds and murder. He lamented that five persons, all of education, and families respectable, should by their folly and imprudence, to call it by the softest name, bring themselves into such an unfortunate situation; one was a Reverend Divine, another an officer in the army, another had been in the profession of the law, and the others of respectable parents, and, as he understood, sat out in the world with fair prospects of being honourable and useful members of the community. The attorney-general then said, that this case was pregnant with the most alarming circumstances, which would be better detailed by the witnesses than described by him.

The prisoner, Burgh, was the private chaplain to the duke of Leinster, and a relation to the Speaker of the Irish House of Commons.

The first witness was Mr. Justice Buller's clerk, who produced a record to prove that the prisoner, Burgh, was lawfully confined in the King's Bench prison for debt. Evidence was produced to prove that the other prisoners were also confined in the same prison for debt.

Edward Webb said, he knew all the prisoners about the beginning of May last, he was introduced into a society, called the *Convivials*, held in a room in the King's Bench prison, of which  
the



the prisoners were members. M'Can expressed himself very freely upon the subject of Lord Rawdon's bill then pending respecting insolvent debtors, and said, if that bill did not pass into a law, he and others were determined to do something to liberate themselves, and that there was a scheme in agitation for that purpose, but that the parties were sworn to secrecy, and therefore he could not divulge it; the witness said he might safely communicate the business to him; the prisoners Cummings and Davis were present at this time; M'Can afterwards opened the business to the witness; he said, the plan in which he and the other prisoners were concerned, was to effect their own enlargement, by demolishing the walls of the prison, as they were determined not to be confined within those walls for debt; the execution of this plan would however depend upon the rejection of Lord Rawdon's bill: after they had effected their escape by setting fire to the prison, they would then go to the Fleet prison, and liberate the prisoners, after which they should proceed to the houses of Lords Thurlow and Kenyon, which they would destroy. Davis said he should not hesitate himself to blow out the brains of those noble Lords: the witness saw the other defendants who conversed upon the subject, and it was proposed to procure some sailors to assist them; this scheme was however defeated by the vigilance of the marshal, who sent for the guards and had the prison searched throughout. A short time afterwards the witness saw M'Can, Cummings, and Davis again, who said, that though they were defeated in the former scheme, they determined to put some other plot into execution; the next day Cummings (who was called the captain)

captain) said to the witness, "I have discovered the best plan that could be conceived for blowing up these d—d walls—I'll shew you the place;" he then took the witness to the end of the bakehouse and pointed out to him a place where the drain had been opened; he then described the force necessary to blow up the walls and said, he had studied the scheme upon his pillow; he then said, it would be necessary to have a box about ten inches wide and as many deep, and described the tubes they were to convey the fire to the box, which he said must contain about fifty pound weight of gunpowder and requested the witness would get it made. In the evening of the same day the witness saw M'Can and Davis come out of the coffee-room, and alluding to the plot, said, "it was a glorious plan, and they would support it to the loss of their lives;" they said, no other person should be privy to it excepting Mr. Bourne who was concerned in the former scheme, and who has got a large quantity of gunpowder ready; the witness observed to them that the neighbouring bakehouse and coffee-room would be in danger, and that poor Martin who had a large family would be killed; they replied it was no matter if they or a dozen more were killed provided it procured the prisoners freedom.

In a day or two afterwards the witness was walking upon the parade with Cummings, M'Can and Rouen; he asked if Mr. Rouen knew of the plot; they said he did. Rouen said, they should have the powder, and that Mrs. Rouen should bring it to the witnesses house in small quantities; M'Can then proposed that in order to raise money to purchase the gunpowder, a motion should be made in the club of Convivials for a subscription  
of

of five shillings each under pretence of seeing counsel to know whether the marshal had a right to enter his prisoners apartments when he pleased : this proposal was agreed to, and the motion was accordingly made. After several other consultations, at which all the prisoners were present, it was agreed that the gunpowder should be deposited in a hole in the floor in Burgh's room, where it was afterwards found. It was also agreed, that on the day the plot was to be carried into execution, M-Can and Bourne were to have a sham fencing match for a great deal of money ; this was to collect together all the prisoners at the time the gunpowder was set fire to, and thereby afford them a chance of making their escape. The day was at length fixed to be on a Sunday, in July last, about seven o'clock in the evening, being a time at which a number of strangers were in prison. Cummings had the sole management of this plot, and he said all the rest of the prisoners ought to get him a patent for so excellent a scheme. Burgh said, that the noise and confusion it would create, would, he hoped, bring about a revolution in this country.

The box was produced in court.

H. T. Hendacre confirmed the substance of the evidence of the last witness, as did Mr. Battersley. These witnesses stated, by way of addition, that Davis gave half-a-guinea to purchase some gunpowder ; that the prisoners carried on a correspondence with a society in the borough of Southwark ; that Mr. Dundas's house was one that was fixed on for destruction ; that the prisoners had two schemes in contemplation to effect their escape ; the one was to tie down all the turnkeys ; the other the gunpowder-plot in question, of which

which Cummings had the sole conduct, he being considered the engineer.

A seditious song, stated to be written by M<sup>c</sup>Can, was also produced and read in court.

Mr. Rouse made a very able speech on behalf of the prisoners. He called three witnesses to impeach the credit of the witnesses for the prosecution, but their evidence was of little effect.

Lord Kenyon summed up the whole of the evidence in the most able and impartial manner, after which the Jury retired for a short time, and upon their return, found all the prisoners — *Guilty.*

On Tuesday, Feb. 12, 1793, the prisoners were brought to receive the judgment of the court.

The prisoner Cummings produced a petition, in which he stated that he had been for several years an officer in his Majesty's service, and had then two sons in the army, who in consequence of the calamitous situation of the prisoner, were deprived of the education and support necessary to their station and rank. He stated several other circumstances in mitigation of punishment.

The prisoner Townly M<sup>c</sup>Can produced an affidavit, in which he stated, that he was a student of law, and had formed an opinion from several writers, that imprisonment for debt was illegal; he disclaimed any criminal intention, and positively denied that he or his fellow prisoner had carried on a correspondence with the Revolution Society in the Borough, or ever had a design to kill the two great Law Lords, as alledged by a witness on the trial, but which was a fabrication of that witness to recommend himself to the favour of Government.

Mr. Burgh addressed the court in an elegant speech, and with great emotion, in the course of



which he spoke in the highest terms of the humane conduct of Mr. Kirby, the keeper of Newgate, to all his prisoners. He endeavoured to impress the court with the improbability of five men effecting a revolution in the country, by breaking out of prison.

They were severally sentenced to three years imprisonment, but in different prisons.

We shall forbear making any remarks upon the above trial, assured that the prisoners themselves must, by this time, be convinced of their rashness and folly.

*The Extraordinary Case of Mr. MENDEZ, suspected for the Murder of his Uncle, AARON FERNANDES DE SILVA.*

**A**ARON FERNANDES DE SILVA was a Jew, supposed to have much money in his house, and was almost superannuated.

On Wednesday, Jan. 16, 1793, between the hours of nine and one at noon, five or six men entered his house in Green's Row, Chelsea, where they murdered his housekeeper, and beat and wounded the poor man so severely, that he died soon after. They afterwards stripped the house of many valuables. The persons who perpetrated these horrid deeds were suspected to be Jews, and the principal among them Mr. Mendez, nephew of the unfortunate person who died of his wounds.

When the Coroner held an inquest on the bodies of Mr. Silva and Mary Williams, his housekeeper, Thomas Cobb, the nephew of Mary Williams, a boy of about twelve, who, with his sister, had been taken out of charity to be educated by Mr.

Mr. Silva, said, that on going out to school on Wednesday morning, he left both the deceased at breakfast in the kitchen; that, on returning about noon, and not being able to obtain admittance, he went down the area, and in at the kitchen window, when he saw Mr. Silva lying near the fire place, groaning, and his aunt lying near the dresser, apparently dead. That he went up the stairs, and out at the street door, to call for help; on passing the parlour door, which was generally locked, he observed it open, and a lighted candle on the second window seat, but did not see or hear any person in the house.

George Saunders found the deceased in the kitchen as described by the boy. On lifting up Mary Williams, there were signs of life, but she expired in two minutes. Mr. Silva was alive, but speechless and insensible, and so continued till he died on Thursday morning. He found the parlour door open, but no candle in the room; in a closet in the kitchen a large iron chest unlocked, and nothing in it but a wooden bowl, and a small iron chest fastened to the large one, and locked. In the front room, one pair of stairs, a bureau open, with the drawers out, and the papers in confusion; and on the floor a quantity of bedding folded up, apparently taken from the bedstead in the next room.

Mr. Northy, surgeon, on examining the body of Mr. Silva, found a deep lacerated wound behind the left ear, a wound about two inches long on the upper part of his head, with a fracture and depression of the skull, two smaller wounds on the left temple, the temporal bone fractured, and very much beat in upon the brain. The deceased

languished till about half an hour after eight on Thursday morning.

John Horne said, that Mary Williams came to his shop about half an hour after nine, when she said her master's nephew was come to breakfast with him, and had brought a fine fowl for dinner.

Mary Newins said, that Mary Williams came to her shop about nine for the usual quantity of rolls, and returned about eleven for a penny brick, which she said was for her master's nephew, either come or coming to breakfast; but which of the two words the witness does not recollect. That on Friday, a man of about forty years of age came twice to her, and said he had promised to breakfast or dine with Mr. Silva, without fixing the day, but had not been near him, and begged on his knees that the witness would not say any thing more to injure him, than the deceased Mary Williams had said to her.

The Jury found, wilful murder by persons unknown.

Mr. MENDEZ, who lived near Moorfields, was accordingly apprehended, and brought before Nicholas Bond, Esq. but some respectable witnesses appearing to his character, and stating the time of his being in Moorfields, when the murder was committed, he was discharged, it appearing to the magistrates, at that time, to be an alibi.

Afterwards several circumstances came out, which revived the suspicions that he was the actual perpetrator of the murder; and it was intended to have him apprehended again. But he was found dead in his bed on the succeeding Wednesday morning, and suspicions of suicide having arisen, his body was opened, and nearly half a pint of arsenic found in his belly; on  
which

which the coroner's inquest brought in their verdict, *felo de se*, and he was buried in Bishopsgate-street, near the new opening.

The horrid crime of murder is frequently its own punishment, being ever haunted with bitter and dreadful remorse --the extraordinary end of this man seems a corroboration of the guilt laid to his charge, as doubtless, the man capable of *murdering himself*, is capable of murdering his uncle ! It is shocking to think (should this be the case) of a wretch---a most guilty wretch, hastening to receive the judgment of an offended God---Blood calls for blood, and how many, when proofs have been wanting, have been their own executioners !

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*The remarkable Trial and Sentence of WILLIAM HODGSON, at the Old Bailey, for scandalous and libellous Expressions, Dec. 9, 1793.*

**W**ILLIAM HODGSON was indicted for uttering certain seditious, inflammatory, scandalous, and libellous expressions, tending to scandalize his Majesty, to stir up his subjects to rebellion, and to vilify his Government.

Mr. Fielding, as Counsel for the Crown, followed Mr. Raine, who opened the prosecution in an able and animated address to the Court and Jury. He stated, that the Attorney General being employed in the service of the public in another place, it fell to his lot to conduct the present prosecution. He stated the words made use of by the defendant, and animadverted on them with great ability and impartiality, insisting that the offence of the prisoner, of all others which had come before a Court, was the most proper for prosecution, when



when it was considered that the defendant was not heated by liquor, which could alone be any extenuation of his offence; that the place was a public coffee-room, and the time a period when this country is at war with the power to whom the defendant wishes success, and whose massacres and anarchy, that were the detestation of mankind, he wished to see repeated in this country. He concluded a very able speech, by expressing a wish that the defendant might have it in his power to acquit himself of so foul a charge, and by wishing that the Jury would divest themselves of all prejudice, and give to all that might appear favourable to the defendant, its full weight, while they viewed the evidence of the prosecution with great caution.

Mr. John Buchannon was, he said, in the coffee-room of the London Coffee-house, where, about seven o'clock in the evening the defendant and Mr. Pigott came in, and sat down together in the next box to him, at which time there were a number of gentlemen then in the room. The defendant took up a newspaper, from which he read aloud the account of the defeat of the Dutch, when the defendant said, in a loud and sharp tone of voice, "I wish that the Duke of York and his army were either sent home, or to the Devil." The defendant and Mr. Pigott then had some conversation together, in the course of which the defendant mentioned the King's name with great irreverence, and afterwards drank "the French Republic, or Constitution," but he could not say which; in which Pigott said he would join him. These toasts were all given in so loud a tone of voice, that every person in the coffee-room could hear him. The defendant had three glasses of punch; upon

upon hearing the last toast, all the gentlemen in the coffee-room rose up and drank the King's health; immediately the defendant stood up, and, with his glass in his hand, gave "the French Republic, and may it triumph over all the Governments in Europe."—The witness, on his cross examination, by the defendant, said, that he believed the defendant and Pigott were two hours in the coffee-room. The defendant did not address himself to any individual, but to the company at large; and when they drank the King's health, he said, "What are you all?" A Mr. Newman called the defendant a rascal, and held his fist up to him in a threatening manner.

Mr. John Leach, who keeps the London Coffee-house, in which the transaction took place, confirmed the testimony of the former witness, as to the seditious toast given by the defendant, and added, that he was frequently applied to by the gentlemen who were in the coffee-room, to turn the defendant and Mr. Pigott out of the house; that he did not attempt that, but sent for an officer, into whose custody he delivered him.

Mr. Thomas Griffiths Vaughan, and Mr. White Newman, also confirmed the testimony of the first witness.

The evidence on the part of the prosecution being closed, the prisoner, who conducted his own defence, addressed the Court and Jury, saying, that contrary to the custom which had obtained for a long time past, and in his own opinion but too generally, of employing Counsel, he had rejected such aid, and had determined on exercising one of the Rights of Nature, by defending himself, and by shunning the chicanery and intricacy of the law, which had become proverbial.

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He was brought to answer as a criminal at the bar of the Court, for that which a century ago would have been deemed meritorious; namely, for exercising the Liberty of Speech---a liberty which had been purchased by the blood of our ancestors, and secured to us by the Bill of Rights. But of the mutability of human affairs there was a recent instance, in the conviction of a man for reprinting "the Works of our present immaculate Minister, and some of his co-adjutors." He agreed, he said, with the learned Counsel who opened the prosecution, that the trial by Jury was one of the dearest privileges of a Briton, and hoped that in the present case they would prove their utility, by guarding the liberty of an individual, and one of the dearest liberties of their countrymen---the Freedom of Speech. He said, he should chiefly rest his defence upon three heads: 1st, On the illegality of the original caption; 2d, On the right of free discussion; and 3d, On the intention with which the words were spoken. Upon the first head he insisted, that it was contrary to *Magna Charta*, and to the opinion of several of our most famous lawyers, that any person should be apprehended and put into custody but under warrant, which was not the case, for he was put into custody by the keeper of the tavern, and immediately taken to the Poultry Compter. Mr. Leach was the *Lettre de Cachet*, and the dungeon of the Poultry Compter was the Bastile. In support of his argument, he cited the works of several commentators on the laws of his country. The right of free discussion, he insisted was the inherent birth-right of an Englishman, purchased by the blood of our forefathers, and secured to us by King William in the Bill of Rights; and that it

was

was endured that a tavern keeper, or a man like Mr. Newman, “whose conduct was as hot as Cayenne pepper, and whose wrath was as sharp as vinegar,” should interpret men’s words or actions, and to dub them criminal at their will, even the gentlemen of the Jury would not be safe, but would be liable to be hauled away to a prison, from a coffee-house in which they were drinking their wine, by some Janus of a tavern keeper, who, like Mr. Leach, while he pocketed their money, would betray them: as to the intention with which the words were spoken, he could not, as he had no witness to call, attempt to deny some of the expressions that had been stated, but endeavoured to impress the Jury with a notion that there had been a material contradiction as to the words made use of by him, and which materially altered their sense. He also endeavoured to convince the Jury, that the expressions were drawn from him by the experiments and rude behaviour he experienced from the company, but particularly from Mr. Newman, who, he said, wanted by threats and violence to *oblige* him to drink the King’s health. He concluded his defence, which took up two hours, by exhorting the Jury to guard over the liberties of their countrymen; and not by convicting them, for exercising the freedom of speech, sign the death warrant of their liberties.

The Recorder summed up the evidence in a very fair and impartial manner; when, after retiring for about a quarter of an hour, the Jury returned a verdict—*Guilty*.

This trial lasted from eleven o’clock in the morning until six in the evening.



Mr. Hodgson received the following sentence--- To be imprisoned in Newgate for two years ; to pay a fine of 200l. and to give security for his good behaviour for two years more, himself in 200l. and two sureties in 100l. each.

The tongue, as Addison remarks, is a dangerous thing, and we should always keep a steady bridle---freedom of speech should never be indulged too far, for then calumny and slander would be continually buzzing in our ears.—Shall we take away a neighbour's good name, “ which not enriches us, and makes him poor indeed,” through a wanton delight of free converse ? It is a crime of considerable magnitude, and still greater, when we presume to defame our superiors.

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*The remarkable Trial of JOHN RICHARDS, for stealing Six Bank Notes from his Master.*

**J**OHAN RICHARDS was indicted for stealing six bank notes, of the value of 200l. the property of Mr. Thomas Lewis.

The prosecutor is an attorney of eminence in Gray's Inn, and the prisoner was his copying clerk, at a weekly salary.

Mr. Lewis swore, that on the 29th of July, 1793, he drew a draft on Messrs. Child and Co. the bankers, for 200l. and desired Mr. Vizard, his confidential clerk, to carry it to the bankers, and receive the money. Mr. Lewis never received the money ; but he had no doubt it was paid by Messrs. Child, for they had debited him for that sum.

Mr.

Mr. Vizard swore, that on the 29th of July, he received a draft of Mr. Lewis, for 200l. went to Messrs. Child, and received the money in six bank notes. When he returned to Gray's Inn, he left the notes on his desk; he then went away, leaving the prisoner, and another clerk, of the name of Ward: this was about half after three in the afternoon. He came back about five, and missed the notes, with which he acquainted Mr. Lewis: the prisoner at this time was gone away. The witness then went to Bow-street, and took an officer with him to the prisoner's lodgings, No. 9, Temple-street, St. George's Fields. They found him at home, and much in liquor; they searched him, and found five of the notes in his possession; the other he had changed for cash. He told them to take the 200l. and to return to him what was his, which they did.

The notes were then identified by a memorandum taken by Mr. Ward, and examined by Mr. Vizard, at the time they were left on the desk.

The prisoner said in his defence, that he was left alone in the office; and having occasion to go down stairs, and not finding the key of the outer door of the chamber, he was afraid of leaving the notes on the desk, he therefore took them with him. He then went to a public house, where he drank too much brandy and water: he became intoxicated, and, in that situation, he was ashamed to see Mr. Lewis; therefore he went home, with an intention of returning the money the next day. He referred to Mr. Lewis for a character.

Mr. Lewis said, he had been with him only a month, but that he had an excellent character of

him from a respectable gentleman, whom the prisoner had served for upwards of twenty years.

The Jury found the prisoner—*Guilty*; but recommended him to mercy.

Mr. Justice Heath told the Jury he should pay regard to their recommendation.

There were certainly some striking circumstances in favour of the prisoner: his having the *whole* money to return---his not absconding, &c. entitled him to mercy; however his having changed *one* of the notes operated much against him; this, however, might have been the result of intoxication---how often is drunkenness the cause of fatal folly—"Oh! that men should put an enemy into their mouths to steal away their brains."

*The remarkable Trial of DANIEL HOLT, for seditious Publications, and the Rev. Mr. WINTERBOTTOM, for two seditious Sermons.*

**D.** HOLT, having been found guilty in the Court of King's Bench, of printing and publishing two libels, the Attorney General having prayed the judgment of their Lordships, November 27, 1793, Mr. Justice Ashurst proceeded:—"Daniel Holt, you have been tried and found guilty, on two indictments, for printing and publishing two very scandalous and atrocious Libels. The first is entitled "An Address to the Addressees," and the second is entitled "An Address to the Tradesmen, Mechanics and Labourers of Newark, on a Parliamentary Reform." The first paper alludes to 'his Majesty's proclamation, and asserts, that the many addressees  
expressive

expressive of loyalty and attachment that were in consequence presented to the King, came only from persons who were desirous of promoting their own interest. Those loyal addresses have counteracted the evil and pernicious designs that were intended to have been put in execution in this country. The tendency of this address was to bring his Majesty's proclamation into contempt. It is stated in this paper, that the government of this country is a system of oppression; that it is radically bad, and that a reform cannot be brought about by the parliament, but by the people. It approves of a convention, and has a tendency to traduce and villify all kingly governments. It boldly calls upon the people to revolt. This certainly stands in the first rank of sedition. The French convention by this paper is strongly recommended, which is the corner stone of all that rapine, anarchy, confusion, murder, and proscription, by which that unhappy country has been ravaged. It is alledged in extenuation, that you are not the author of the Libel; but how does this operate? it is enough to have persisted in the crime; you have not only cherished, but have given existence to pernicious doctrines; you have endeavoured to cram down the mouths of the people those doctrines which they had, by signal marks of loyalty, rejected. It has been alledged, that this paper was published ten years ago, and that then it was considered innocent; but such an argument can by no means hold—It cannot be considered by any man who reads it as a simple and innocent publication. If that were the case, why was it not set up in the same type, and why not state the year? Why, divested of the innocent garb of innocence, you directed this Address to  
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the tradesmen of Newark?—How were they to know that it was published before; and why were they not to apply it to the parliament of Great Britain?—The learned Judge left the matter to the Jury, and they were satisfied that you were guilty—The malignity of this paper is therefore established—It is for this Court to temper justice with mercy, but no palliation has been urged by your Counsel.—This Court having taken the magnitude of the offence into their consideration, do order and adjudge, that for the first offence you pay a fine of 50*l.* to the King, and be imprisoned in his Majesty's gaol of Newgate for the space of two years, and that for the second offence, you pay a fine of 50*l.* to the King, and be imprisoned in his Majesty's gaol of Newgate for the space of two years, to be computed from the expiration of the last imprisonment: and that you find security for your good behaviour for the term of five years, yourself in 200*l.* and two sureties in 150*l.* each."

The defendant was immediately taken into custody.

The Rev. Mr. WINTERBOTTOM was also convicted before Mr. Baron PERRY, at the assizes for the county of Devon, 1793, for preaching a seditious sermon at Plymouth, on the 5th of November, 1792.

In the course of this discourse, the defendant talked a great deal about the Revolution in 1688. He was sorry to see the laws so much abused as they were at present. He also spoke of the French Revolution, and he did not doubt but that would open the eyes of every Briton. He asked, why the streets were so crowded with vagrants, the  
work-

workhouses with beggars, and the gaols with thieves? All this, he said, was to be attributed to our oppressive taxes.—It was high time for the people of this country to stand forward and assert their rights. He made mention of the national debt—he denied that any part of it was paid off; it was only like taking money out of one pocket, and putting it into another. He said his Majesty had no more right to the throne than the Stuarts, if he did not maintain the laws and established rules of the country.—He urged, that the *Revolution in France was wisely calculated for spreading the Gospel through twenty-five millions of people!*

The defendant was also indicted and convicted at the same time, for preaching at Plymouth another seditious sermon, on the 18th of November, 1792. He took his text from Romans xiii. 13. viz. “The night is far spent, the day is at hand; let us therefore cast off the works of darkness, and let us put on the armour of light.” In the course of this discourse, the defendant introduced several strong observations.

After the evidence on both sides had been heard, the Jury, without hesitation, found the defendant *guilty*.

Judgment having been prayed, Mr. Justice Ashurst thus addressed the defendant: “William Winterbottom, you have been found guilty of preaching two seditious and atrocious sermons. The first act of this daring profligacy you committed on the 5th of November, and the second, on the 18th of the same month. It has been stated, that you are a dissenting preacher—of what sect of religion you are, I know not; but I can collect from your preaching, that you are not at all connected with the Christian religion—for the Christian religion, after first regarding the  
duty

duty of God, teaches and inspires love for, and obedience to, the established government; but the tendency of your doctrine is to overturn all order, religion, morality, and government, and to introduce anarchy and confusion. Your doctrine goes to the abuse of that toleration by which it is meant, that every man may be at liberty to reverence God in the way that his conscience may dictate. But your conscience dictates no such principles; therefore the means that you have taken is a double aggravation of your guilt, and merits a two-fold punishment. In one part of your sermon, you approve of the Revolution in France. As to the first proposition, it is sufficient that the pernicious designs intended to have been executed, are frustrated. As to your second opinion, that the French Revolution would open the eyes of the People of England, there I agree with you—it does open the eyes of the people—it has taken the veil from off the *hacknied system* of liberty and equality. All practical equality consists in the affording equal protection.—— This chimerical project has been tried in a neighbouring nation, the lamentable effects of which will be handed down with so row to the latest generation. This system, which has been tried, must press upon the minds of men, and must operate more forcibly than a volume of arguments. As to your second proposition, it is impossible to be justified—you have alledged that the present form of government is a scourge on the people; but that the yoke of bondage will be soon broken; that persecution is near its end, and that every man will soon have to boast of *equality*. As to your saying that the French Revolution will open the eyes of the people, I trust it will also open your eyes, and be a scourge to those who wish to

intro-

introduce anarchy and confusion. This court having taken the malignity of your offence into their serious consideration, do consequently order and adjudge, that for your first offence, you pay a fine of 100*l.* to the King, and that you be imprisoned in the New Prison, Clerkenwell, in the county of Middlesex, for the term of two years; and that for your second offence, you pay a fine of 100*l.* to the King, and be imprisoned in the New Prison, in Clerkenwell, for the term of two years, to be computed after the expiration of your first imprisonment; and that at the end of your imprisonment, you give security for your good behaviour for the term of five years, yourself in 500*l.* and two sureties in 250*l.* each."

The defendant then wished to address the court, but Lord Kenyon told him, "the court cannot hear you now—It would have been the duty of the court to have heard you, if you had offered any thing before sentence was passed; notwithstanding the source of mercy is open to you."

The defendant was immediately taken into custody.

The evil tendency of unguarded expressions, and libellous publications is well known; to propagate opinions injurious to the state, can never be of service to the authors, and may be of infinite danger to the hearers; for people of weak understandings are too apt to be led away by the erroneous sentiments of those whom they imagine competent of judging. We should shew both our wisdom and prudence if we kept to ourselves whatever opinions we were pleased to form, when derogatory to those that are in general approved of.



*The Remarkable Trial and Conviction of JOHN HILL, for robbing THOMAS MILLER, of two dead Fowls.*

JOHN HILL was indicted in the Sessions for 1793, for making an assault on the king's highway on Thomas Miller, on the 11th of June, and putting him in fear, and feloniously taking from his person, and against his will, two dead fowls, value seven shillings, the goods of John Osmond.

Thomas Miller was a servant to Mr. Osmond, who was a poulterer. He deposed, that between one and two in the afternoon, on Tuesday the 11th of June, as he was coming up Jewry-street, in the city, with two fowls in a tray, and the tray on his shoulder, that this man stopped him, and said he must have the two fowls, for the servant would make a noise at him because they were so late; he had come and ordered them for Mr. Slater, who was a customer of his master's; he was present when they were ordered. He said he should not have the fowls; but Hill said he would have them, and laid hold of the skewers, and notwithstanding the other held the legs, he pulled them out of the tray, and ran away as fast as he could, the other pursuing him: Hill now went up a court, in the Little Minories, and asked for a person of the name of Sally, that lived there, whom he wanted to go into the house to, but the people would not let him: accordingly he came out, and being pursued again, ran as far as the Little Minories; he kept the fowls all the while in his right hand; and upon Miller's approaching him, he  
knocked

knocked him down, and kicked him on the side; so he was stunned, and could not pursue him any longer; he then made his escape. Miller, when he had recovered himself, went to Mr. Slater, where he was told that no fowls were ordered.

John Dungate, a green grocer, deposed, that there was a scuffle near his door, and the fowls were dropped: he saw the prisoner drop them in Church-lane, Whitechapel---he picked them up; a man was pursuing the prisoner, and crying out "Stop Thief!" The fowls were taken to the Rotation Office, and the shopman said they were his fowls, in the presence of the prisoner.

The prisoner was found guilty---*Death*. But on account of the smallness of the injury done to the prosecutor, he was recommended to mercy.

The magnitude of the crime does not however rest upon the greatness of the thing that is taken; one trivial robbery leads to a greater; and it is a fortunate circumstance, when the career of a culprit is checked in time!

*The Trial and Conviction of WILLIAM COOK,  
alias BAILIS, for stealing:*

**W**ILLIAM COOK alias BAILIS, was in December sessions, 1793, indicted for privately stealing in the shop of John Fuller, a till, containing half-a-guinea, ten shillings and sixpence, and a quantity of halfpence.

The prosecutor said, he kept a pork shop in Orange-street, Bloomsbury; in the evening of the 23d of October, he had just gone up stairs, when on his daughter calling out that he had been robbed, he run into his shop and missed his till,

which contained the property stated in the indictment. He afterwards found the prisoner in custody at the watch-house.

Benjamin Spriggs searched the prisoner when brought to the watch-house, and found on him the money stated in the indictment, a dark lantern, several pick-lock keys, a box of phosphorous and matches, and a pistol, which was loaded; he produced the till, which he said was brought into the watch-house after the prisoner was taken.

The prosecutor swore, from some particular marks about the half guinea, that it was the same which had been stolen from his shop.

John Godfrey, who lives at the next door to the prosecutor, said, that on being informed that Mr. Fuller had been robbed, he went in pursuit of the robber, and in Red-lion-square found the prisoner standing with three other men, and on his going up to them, one of them said, "Blas't you, what do you want?" and immediately a second said, "Damn him, shoot him," and the prisoner drew a pistol from his pocket, and snapt it at him, when a gentleman who came up to his assistance, knocked the prisoner down, and as he was rising, he again presented the pistol, but it was forced from him, and with the assistance of the person who knocked the prisoner down, and a bricklayer, he took him to the watch-house. When the witness first went up to the prisoner, he had in his hand a drawer, out of which he was emptying the money into his pocket. Another witness confirmed Mr. Godfrey's testimony.

Baron Perryn, in summing up the evidence, remarked to the Jury, that the act which made the charge against the prisoner a capital offence, said, that stealing goods, wares, or merchandize,

to the value of five shillings, privately in the shop, should be punished with death; and it was the opinion of Judge Foster, that the property so privately stolen, to come within the meaning of this act, must be goods wherein the person whose property it is, deals; the Jury might therefore acquit the prisoner of the capital part of the charge.

The Jury found the prisoner guilty of stealing, but not privately.

The Foreman of the Jury addressed the Court, saying, that it was the wish of the Jury that the country should be rid of so dangerous an offender as the prisoner appeared to be, who, it seems, has been seven years on board of the Hulks.

The Judge said, that he should transport him for seven years to Botany Bay, and that *it was not likely he ever would return from thence.*

The character of a man chiefly operates either for or against him—if good, it is considerably in his favour, and often recommends him to our mercy and pity---but, if on the contrary, it will not bear scrutiny, it goes in a great measure to convict him.

*Particulars of SKIRVING and MARGAROT; who were tried before the High Court of Justiciary; at Edinburgh, for seditious Practices.*

**I**N the morning of January 6, 1794, the Court proceeded in the trial of WILLIAM SKIRVING, late tenant in Damhead, designing himself; of Strathrudie, residing in Edinburgh. He was accused, at the instance of his Majesty's Advocate, of circulating, or causing to be circulated a seditious writing or paper, dated "*Dundee Re-*  
*rean*"



*rean Meeting-house, July, 1793.*" This was the same hand bill for which Mr. Palmer was sentenced to transportation. He was further charged with having been a member of a society denominated, "*Friends of the People*," which met at Edinburgh, October 4, 1793; and of having then composed or written, or caused to be composed or written, a seditious and inflammatory hand bill, calling upon other seditious associations to convocate together, and holding out threatenings against those who may counteract their seditious proceedings; or, at least, that he did recommend and approve of said hand bill, which, among other things, contained passages, calling upon different denominations of the people, in its own language, all the *rabble*, to demand, with the firm and energetic voice of justice, the peaceable restitution of their rights. This hand bill also contained the thanks of the meeting to Mr. Skirving, for having invited societies to join in the common cause.

The libel further stated, that in consequence of this hand bill, a meeting was held at Edinburgh in October, which presumptuously and seditiously arrogated to themselves the name of the *British Convention of the Delegates of the People, associated to obtain Universal Suffrage and Annual Parliaments*, and that the members of this association did in October, November, and December last, in imitation of the French Convention, call each other by the name of Citizens; divide themselves into Sections; appoint committees of various kinds, such as, of Organization, of Instruction, of Finance, and of Secrecy; denominate their meetings, *Sittings*; grand honours of *Sittings*; and inscribe their minutes with the first year of the British Convention.

And

And the said meeting came to various seditious resolutions.

The said William Skirving was further charged with having made the following motions :---

“ That the Convention express its ardent desire to cultivate a more close union with the societies in England.

“ That an address to the public should be drawn up by the Committee of Union.

“ That a Committee of Finance be appointed.

“ That the Delegates from the country, who may run short of money by the prolongation of the business of the Convention, shall be supplied by the Treasurer.

“ That all the Members, both of the Convention, and of the Primary Societies, should subscribe a solemn league and covenant.”

He was further charged with having been present at a meeting in Blackfriar's Wynd, upon the 5th of December last, where the members resisted the authority of the Magistrates, who ordered them to disperse. (A similar charge was made for having resisted the Magistrates and Sheriff the following night, when attempting to dismiss the said society then met in St. Patrick's Square.)

The libel further charged William Skirving with having attempted to convene a meeting of the Friends of the People in the Cock Pit, Grass-market, on the 12th of December last, contrary to the proclamation of the Magistrates and Sheriff.

The libel concluded, that all, or part thereof, being found proven by the verdict of an assize, William Skirving ought to be punished with the pains of law.

When the indictment was read over, he was asked

asked by the Lord Justice Clerk whether he was guilty or not guilty? To this he answered, I am conscious of no guilt, my Lord.

He conducted his defence without the assistance of agent or counsel—and after a long trial, he was found guilty of sedition, and sentenced to fourteen years transportation.

After the verdict was recorded, and before sentence was passed, the pannel addressed the court. He said, by an unlucky accident, he had been deprived of counsel yesterday on his trial, but had this morning received, by post, what he had expected, viz. the opinion of English counsel on his trial; and although it had arrived in some degree too late, yet even at this period it might not perhaps be altogether useless. He then stated the opinion of the English counsel to be, that the indictment was illegal in so far as it charged him to be guilty art or part of the crime libelled. On such a charge as this, he was informed, no legal trial could proceed. He also stated, that to this hour, although he had often asked, he had never yet been informed what sedition was.

When their Lordships delivered their opinions as to what punishment should be inflicted, they also took notice of the opinion of the English counsel, of whom they said, that, however knowing he might be in the law of England, he was grossly ignorant of the law of Scotland, else he would have known that there was a special act of parliament authorising the charge of art and part.

After sentence was pronounced, the pannel addressed the court, saying, the sentence did not at all appal him, that he had long since learned to throw aside all fear of man; but this sentence  
would

would be rejudged, and that was all his comfort and all his hope.

The Lord Provost and Magistrates followed up their proclamations, by assembling an immense body of officers and others to keep the peace; they issued an order that no hackney-coaches should ply in the streets, and on the 13th in the morning, the Lord Provost appeared at the head of the force collected to disperse any tumultuous cavalcade that might accompany Margarot to the court. About ten o'clock Mr. Margarot and his friends appeared, surrounded by a multitude of people, all on foot, and ranged in rank and file, bearing a white flag, on which were inscribed these words, *Law, Liberty, Reason, Justice, and Truth.* The mob had no weapons of any kind, and were perfectly quiet. As soon as they made their appearance entering the bridge from the new town, the Provost and his cavalcade marched forward to meet them, and the two bodies met on the bridge. The magistrates immediately seized the flag, dispersed the multitude, took some of the most forward of the mob into custody, and then proceeded to the parliament house with Margarot and his friend Mr. Brown, where they left him to take his trial, while they went to hold a council to deliberate on what further steps they should take for the preservation of the peace.

The trial commenced immediately, Mr. Maurice Margarot was accused of different seditious practices; he conducted his own defence: the court over-ruled all the objections which the prisoner made—his challenges of the jury they resisted---and every preliminary motion which he made they set aside, and the Jury were impanelled.



The trial lasted till three o'clock on Tuesday morning, when sentence of transportation for fourteen years was passed upon him.

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*The remarkable Trial and Conviction of* JEREMIAH  
READING, *for Forgery.*

JEREMIAH READING was tried for forging the name of John King, as an acceptance to a bill of exchange for the sum of 80*l.* with intent to defraud William Dolben and Richard Brown.

William Dolben is partner with Brown, linen-drappers, in Bishopsgate-street. In Feb. 1792, the prisoner, who had been for a considerable time indebted to them in 9*l.* applied to him, saying, he had now the means of discharging the arrears, having received a note, which he wished to have discounted. For that night he wished to receive only 10*l.* which he had immediate occasion for. He described White, the drawer of the bill, to be a reputable merchant in Bristol; and King, the acceptor, a man of opulence, who resided in a large house in Berkeley-street, Portman-square, and kept a carriage, livery servants, &c.

The witness remarked, that the acceptance in the bill appeared in the place where indorsements are usually made. To this the prisoner replied, that when he took the bill he made the same observation; but that Mr. King assured him he always accepted his bills in that way, and that it should be regularly honoured when it became due. He then gave him 20*l.* for which he took his receipt.

The prisoner, not returning for the remainder of the money, excited suspicion, and induced the  
witness

witness to make inquiry after the drawer and acceptor. The result was, that White had once resided in Bristol, but had disappeared for two years; but as to King, no such person was to be found in Berkeley-street. The witness having occasion to pay a visit in the King's Bench, found Reading a prisoner there, and brought him on his trial.

A servant in the prosecutor's house corroborated this testimony; and the collector of the taxes said, that no person of the name of King was a yearly house-keeper in Berkeley-street; otherwise he must have known him.

This was the scope of the evidence for the prosecution.

In defence one Clark appeared, who swore that he lived as clerk in the house of White, in Bristol, and recollected having copied the note in question, and its being forwarded to King in Berkeley-street. The witness underwent an examination of two hours, in which he was required to give an account of himself. This he did in a very extraordinary manner, beginning at the time when he was only three years old;---but it was found impossible to extract from him the manner in which he employed himself for the last eighteen months.

Allen, a hair-dresser, deposed, that he lived near Soho-square, in good business; and that, in the year 1792, he dressed a Mr. King, in Berkeley-street, Portman-square. He recollected, that about the end of February, the prisoner came to Mr. King, while he was dressing him, and presented a bill, which he accepted. He added, that all that conversation took place relative to the extraordinary mode of indorsement, &c. which was

related by the prisoner when passing the bill upon Dolben. He also stated a circumstance of King's receiving a letter addressed to him under the name of Nugent.

Several witnesses gave the prisoner a good character, amongst whom was a Miss Davis, whose mother's house in Berkeley-street he frequented for three years.

Mr. Justice Grosse summed up this very intricate evidence in a very able and circumstantial manner. He commented upon all the points, and when he came to that which regarded King's passing by the name of Nugent,

Miss Davis requested the liberty of interrupting him. She said, that the mention of the name of Nugent called a circumstance to her remembrance, which, as it may affect the case before the court, she thought it her duty to state, though she could not have done so in her direct evidence; the whole having been suggested by the testimony of another witness. She then related, that a person of the name of Nugent had taken lodgings at her mother's, and refused to give any reference for character, saying there was no occasion for it, as he was a regular man, and would pay weekly. He afterwards absconded in the night; and on sweeping the room one morning, she found a pawnbroker's duplicate of an article pledged in the name of John King. Having never seen a pawnbroker's ticket before, she shewed it to a gentleman, and their mutual curiosity led them to pay a visit to the pawnbroker. The latter told them, that he had directions to stop any person who should apply with the ticket; and that the instruction was given by the person who deposited the pledge. On the affair being explained, the pawnbroker  
gave

gave a description of the man, which perfectly corresponded with the person of Nugent.

She was desired to produce the ticket, and said, that having no idea that such a circumstance would apply in evidence to this case, she had not brought it with her, as she otherwise would have done.

The learned judge, after a short hesitation, proceeded to his charge. He remarked, that what they had last heard went in a great measure to confirm the evidence of Allen. If the Jury should be led to attribute the whole to a foul and fraudulent conspiracy of White and King as an expedient for raising money, and that the prisoner was only a scape-goat in their hands, it was not a forgery, as charged in the indictment, and they must of course acquit him. They were not to convict upon doubt, inference, probability, or conjecture. The question to be considered was, whether the prisoner uttered this instrument knowing it to be forged? If they believed the evidence of Allen and Clark, corroborated by that of Davis, the charge was fully rebutted; if not, the other evidence was sufficient to convict him.

The Jury, after retiring for a considerable time, returned with a verdict, finding the prisoner *Guilty* on the second count of the indictment---*Guilty* of uttering the bill, knowing it to be forged—*Death*.

The learned judge, however, thought proper to reserve the case for the opinion of the Judges; and accordingly, at the Sessions House in the Old Bailey, 1794, the Judges were of opinion, that as the indictment stated the bill to be directed to John King, by the name and description of John King, and as there was no person to be found as  
John



John King, that their description was erroneous, and repugnant to the precision the law required in the form of indictments, and that therefore the judgment ought to be arrested. The case, however, being of great public importance, the judges were of opinion that the prisoner ought not to be discharged, as the prosecutor was at liberty to prefer a new indictment against him. The prisoner was of course detained in custody. However, on the succeeding month, March, he received his Majesty's free pardon.

If, as the learned judge observed, Reading was only a scape-goat in the hands of White and King, who were mere swindlers as reported, we see in what distress and danger we may be involved by keeping improper company---“ Evil communications corrupt good manners,” and many an unfortunate wretch has come to an ignominious death, through the vices of his companions !

*The Trials, Execution, &c. of the notorious Offenders, JOHN RABBITS for Robbery, and WILLIAM BROWN.*

**J**OHN RABBITS, an old offender, was convicted of having robbed Elbro' Woodcock, Esq. of a gold watch and bank notes, amounting together to 100*l.* in the month of June, 1792. It appeared, that Mr. Woodcock was passing in the evening through Bedford-row, when a man ran against him and knocked him down, and two others came up, and on pretence of assisting him, robbed him of the above property. Daniel Driscoll, one of the accomplices, who was admitted an evidence for the crown, said, that he, in company

pany with Rabbitts and another, who had been convicted for another offence, but received a conditional pardon, were passing through Bedford-row, that he (Driscoll) ran against Mr. Woodcock and knocked him down, and ran on, and that the other two came up, on pretence of assisting him, and robbed him of his property.

He was also indicted, with Charles Beasley, for robbing and assaulting James Sayer, on the highway, and feloniously taking from his person 2l. 12s.

The prosecutor keeps an inn at Slough; on the 18th of July 1792, he was going home from London in a post-chaise, accompanied by another gentleman; on Smallbury Green he was stopped by four footpads, two of whom stood at the horses heads, while the others stood one at each door. Randall, one of the footpads, who was tried at the following sessions for this offence, convicted, and has been since executed, opened the door on the prosecutor's side, and standing upon the footstep, presented a pistol to his breast, and demanded his money. He gave him two guineas and ten or twelve shillings, but the prisoner was not satisfied with that, and demanding more money, began to feel the prosecutor's pocket, which so enraged him, that he attempted to push Randall off the step, and he retreated; on which the prosecutor jumped out, and on calling out for assistance, and observing some persons coming towards him from a neighbouring public-house, the footpads all endeavoured to escape through a hedge; they were pursued, and Randall only was taken.

Daniel Driscoll, an accomplice, was admitted an evidence for the crown, and deposed that he had long known both Randall and the prisoners; that

that they all four, on the same 18th of July, agreed to go on the highway in order to rob, and for this purpose they purchased at the shop of a pawnbroker, in Ryder's-court, two pair of pistols, for one pair of which they gave a guinea, and for the other 15s; from this shop they went to Hyde Parker Corner, and there got into a coach, in which they went to Brentford, from whence they went to Smallbury Green, and stopped at the Castle public-house there, where they drank four pots of porter; after which they walked into a lane leading to Isleworth, where they charged their pistols, and remained until it was dusk; they then again entered the high road, and soon after stopped the prosecutor, whom they robbed.

On cross-examination the witness said, that he had been in the service of several medical men, and having acquired some knowledge of physic, he had practised for himself, but that *for the last eighteen months he had followed the profession of a thief*. Since he had been in confinement he had written a detail of the circumstances attending every robbery in which he had been concerned.

Catherine Norris, who keeps the Castle public-house, on Smallbury Green, recollects the prisoners, in company with Driscoll and Randall, coming to her house and drinking four pots of porter, on the 18th of July. She took very particular notice of the prisoners, having been informed that Randall was a *pad*.

A pawnbroker proved, that on the 18th of July he sold two brace of pistols; one pair for 21s. the other for 15s.

Several other witnesses confirmed various circumstances sworn to by Driscoll—they were both found

found guilty—the Jury recommended Beasley to mercy on account of his youth, being only sixteen years of age.

John Rabbits, Charles Beasley, and William Brown, were again indicted for privately stealing in the shop of John Coward, in Cornhill, a glass case, containing seven watches, a gold chain, seals, &c. value 6*l.* his property.

John Smith, a servant to Mr. Coward, swore, that on the 14th of September, in the afternoon, the prisoner Rabbits first came into the shop, and desired to look at a watch ; while the witness was shewing this watch, Brown entered, and requested to look at a watch chain ; soon after Beasley came in, and asked where a Mr. Simpson lived ; and during the time the witness had turned round to reach another watch from a case for Rabbits to look at, Beasley, who had a great coat in his hand, went out, and Driscoll immediately entering, enquired of the witness if he had got a watch that he had about a fortnight before enquired after ; the witness recollecting him, replied that he had not, and in going round to a different part of the shop, in order to shew a chain to Brown, he missed a glass case, which contained the property stated in the indictment. He enquired of Brown and Driscoll if they had seen Beasley (describing him by his dress) take any thing out. They both lamented his loss, and Driscoll went out ; Brown remained a few minutes longer, and after having purchased a chain, for which he gave half-a-crown, he followed. He did not see the prisoners again until they were in custody at Bow-street, when he recollected their persons.

Daniel Driscoll (admitted an evidence for the crown) deposed, that about the beginning of Sep-



tember, he, with the prisoners, went to view Mr. Coward's shop, and Beasley observed, that a glass case, which was in the shop, would be very easily stolen. He confirmed the circumstances of the robbery as stated by the last witness.

The Jury found all the prisoners *Guilty*.

John Rabbitts and William Brown were ordered for execution. Charles Beasley received his Majesty's gracious pardon, on condition of transportation during life—rejecting this clemency, however, he was remanded back to his cell, to await the judgment of his former sentence; but on further consideration he accepted the conditional pardon.

William Brown and John Rabbitts (who was only twenty five years of age) were executed pursuant to their sentence, on the 5th of Feb. 1794, opposite the debtor's door at the Old Bailey---they confessed several robberies, amongst which was that, and the murder of Mr. Eaton in Berwick-street, Soho; of Mr. Woodcock, who was knocked down and robbed of his watch in Bedford-row, &c. They behaved very penitent, and seemed both sorry for, and conscious of, their manifold crimes.

Thus we see how liable youth is to fall into temptation---No sooner are we able to discern between right and wrong, but sin takes possession of our heart, and also such a deep root, that it is with the greatest difficulty eradicated---how attentive should we then be to the duties of religion, and the choice of our company; for all who herd with wicked men, are not only led astray by their evil habits, but in general betrayed by them.

*Execution of ELIZABETH MARSH, for the Murder of her Grandfather.*

**A**T Dorchester assize, March 1794, ELIZABETH MARSH, a girl only *fifteen* years of age, convicted of the murder of her grandfather, John Nevil, at Morden, was condemned, and ordered to be executed forty eight hours after.

This girl lived in the house with her grandfather, and with the most deliberate malice deprived the old man (who was seventy years of age) of his life, by giving him two dreadful blows on the head while he was asleep. This unhappy wretch was bred in such extreme ignorance, that she declared until since her confinement, she had been wholly unacquainted with the difference between good and evil, heaven and hell. She was executed according to her sentence.

Thus we see the unhappy effects of rearing children in ignorance—if not timely instructed in the ways of religion, they generally bring shame both upon themselves and family.

*The remarkable Condemnation of HENRY GOODIFF, for robbing a Pie-Man at Hounslow Heath.*

**H**ENRY GOODIFF was a fine young man, of respectable parents, who, taking a freak into his head, abandoned his friends—On walking over Hounslow Heath, he met with a *tossing-up pye-man*, with whom he stopped to speculate, in hopes of filling an hungry stomach; but, as bad luck would have it, he lost his money, with-

out losing his appetite. In this condition, he foolishly robbed the *pye-man* of the halfpence he had lost, was apprehended, convicted, and condemned.

He was offered his Majesty's gracious pardon on condition of serving in the royal navy. At first he rejected the proffered mercy, but having thought better of it afterwards, he accepted it, and was in March 1794, conducted from Newgate on board the tender off the Tower.

How many youths fall into misfortune and snares by abandoning their family and friends—the most trivial occurrences they meet with, generally lead to great evils. Happy would it be, if like the prodigal in the parable, they would repent in time, and return to their father !

*The remarkable Trial, &c. of JOSEPH GERALD,  
Esq. at Edinburgh, for Sedition.*

ON the 10th of March, 1794, came on the trial of JOSEPH GERALD, Esq. late of Bloomsbury-square, London. The accusation, at the instance of the Lord Advocate of Scotland, charged him with being a member of a seditious association, called "The British Convention," which met at Edinburgh in November and December the preceding year; and that, on the 21st and 28th of November he made addresses of a seditious nature to the members of the said convention. (*These speeches were given at length in the indictment.*) The indictment also charged Mr. Gerald with being present in the convention when the magistrates and sheriff went to disperse the members. The libel was restricted to an arbitrary punishment.

When

When the Court met, before the libel was read over, Mr. Gerald objected to the Lord Justice Clerk sitting on the Bench. Upon this his Lordship rose, and Lord Henderland took the chair.

Mr. Gerald then presented a written minute, containing the specific objections to his Lordship's sitting on the Bench, and the facts which he offered to prove in support of these objections:— They were, that his Lordship had prejudged his cause, inasmuch as, some time since, when in the house of Mr. Rothead of Inverleith, he said, “What would they think of sending Margarot to Botany Bay, and giving him a whipping also?” This minute he desired might be entered on the records of the Court.

Their Lordships in general were of opinion, that the objection was not well founded, for the words alluded to were merely part of a conversation at table; and could any man suppose, that such language could have any influence upon a judicial procedure? Would it be proper to give force to such a charge, founded on a few loose words, and not at all connected with the proceedings of the Court, nor delivered in the capacity of a Judge? If such objections were to be tolerated, they might be attended with the most dangerous consequences. It was throwing an indignity upon the Court, and was intended as a foul aspersion upon the character of that respectable and learned Judge who was Vice President of the Court, and who added honour to the Bench. Suppose that such words really had been spoken, how could they tend to prejudice the cause of Mr. Gerald, when it remained with a Jury to try him? One of their Lordships remarked, that the charge against the defendant, if true, was highly aggravated.



vated by the ill-founded charge he had now made upon that respectable Judge; and, if a verdict were found against him by the Jury, *he would not say but he might consider Fourteen Years Transportation as too small a punishment to be inflicted.* In the case of Mr. Margarot, he hesitated much whether fourteen years ought to be the punishment, or whether one more severe should be imposed; for, he considered the conduct of that person, in the course of his trial, as highly reprehensible. The accusation which the defendant now made might originate in malice.

Their Lordships resumed the consideration of the objection, and were of opinion that it was irrelevant, and ought to be rejected. Upon this Lord Chief Justice Clerk was called to the Chair. The indictment was then read over, to which the defendant pleaded—Not Guilty.

Mr. Gillies then addressed the Court in defence of Mr. Gerald.

On the 13th, the High Court of Justiciary met agreeable to adjournment, and proceeded on the trial of Joseph Gerald, for sedition.

The pleadings on both sides continued till eleven o'clock at night, when the Jury withdrew, and brought in a verdict next morning at eleven o'clock, unanimously finding the Pannel Guilty, when the Lords passed sentence of Banishment beyond Seas for Fourteen Years, &c.

Mr. Gerald was about thirty-four years of age. He was born in the West Indies, where he inherited considerable property. His first residence in London was under the roof of Dr. Parr, with whom he remained for a number of years.---When he left the care of his learned instructor, he returned to the West Indies, where he married, and  
where

POWELL and BENTHAM--for Murder. 191.

where his wife now resides. By this lady he had two children, who are now alive, and at school in this country.—For the sake of his posterity, we shall forbear making any comments.

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*Particulars and Execution of EDWARD POWELL, for the Murder of ROBERT FRAMPTON, at Portsea; and GREGORY BENTHAM, for the Murder of WILLIAM BARNES, at Portsmouth.*

IN the Lent assizes, at Winchester, EDWARD POWELL was convicted of the murder of his father-in-law, Robert Frampton, at Portsea; and GREGORY BENTHAM, for the murder of William Barnes, his ship-mate, at Portsmouth. They were both ordered for execution, and their bodies to be anatomized.

Powell, whose name stands first in the above list, was master oar-maker, in Portsmouth dock-yard, a place computed to be worth near 400l. a year; he had married the daughter of Mr. Frampton, the gentleman he murdered; and, till this unhappy affair, had been esteemed a most respectable character. Frequent disagreements with his wife had occasioned appeals to her father; and the old gentleman's espousing the cause of his daughter, appears to have determined Powell, upwards of three years since, to perpetrate the murder, which compunction, or want of opportunity, had so long delayed, but not averted.---He met him on the Common Hard, and fired a pistol at him, which he repeated, as the first shot miscarried.

Bentham

Bentham was a quarter-master on board the *Sceptre* man of war, Mr. Barns was coxswain of the same ship, and fell a victim to his friendship for Bentham, who having leave to go on shore for a day, considerably outstaid his time; an officer was sent with part of the crew, to bring him on board a prisoner, who, at the solicitations of the deceased, and on his answering for Bentham's return with him (to which the latter acceded,) left them together: Bentham begged of Barns, that they might drink a glass of grog together, after which he had altered his mind, and refused to go on board the ship: Barns expostulated with him, and urged the necessity of keeping his word with the officer, in vain: he then declared he should go, and attempted to force him out of the house, when Bentham drew a pistol from his pocket, and shot him dead.

These two murderers suffered March 1794, pursuant to their sentence, on the usual temporary gallows, about three quarters of a mile from Winchester.

At the place of execution, Powell, with great fortitude and firmness, said,——

“ Now, my good people, you see us in this unhappy situation, I hope you will take warning by my licentiousness, debauchery, and vice. There were some matters of secrecy that were not known on my trial, which I could wish were made public now; not that they would in the least tend to meliorate my crimes. I hope that no rebukes will fall upon my mother and sisters on account of my bad conduct. I beg that the few writings that I have sent to Mr. Robinson, since I have been in gaol, may be destroyed. Wherever I have travelled through the world, either as a sailor or mechanic,

mechanic, I have ever found that I have been behaved to in a better manner than I thought I deserved. I have——."

Just at this instant, (both criminals being tied up) Bentham, (the cap being drawn over his face, and he in a very weak condition) slipped off the board that went across the cart in which they were, which obliged the executioner immediately to draw the cap over the face of Powell, when they were instantly launched into eternity, and the latter thereby precluded from finishing what he apparently had a great desire to say to the numerous surrounding spectators.

The crime of murder has, from the beginning of the world, been held in a most detestable light. That it is highly offensive in the sight of God, is certainly apparent from its seldom or ever escaping the hand of justice. "The very stones will prate of its whereabouts."

*An Account of CHARLES TALMAGE and MARY MALLET, for Burglary.*

AT last Lent assizes, at Winchester, 1794, CHARLES TALMAGE and MARY MALLET were convicted of breaking open the house of Mrs. Elizabeth Imber, of Winchester, and stealing thereout a considerable quantity of plate, cash, &c.

Mary Mallett set up a plea of pregnancy, in consequence of which, a jury of matrons was impanelled, whose verdict agreeing with the prisoner's declaration, her sentence was respited till the next assizes.



On the 22d of March, in pursuance of his sentence, Charles Talmage was conveyed in a cart to the usual place of execution. He manifested, throughout the whole of this trying scene, a great degree of firmness; acknowledged that he had committed many offences; but solemnly protested his innocence of the crime for which he suffered. A label, containing the following words, was affixed to his breast:—“*Be thou my Judge, O Lord, for I am innocently betrayed.*” Talmage was a very well looking young man, aged 27, a native of Winchester, where he left a father, mother, and other relations.

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*The Life, Parentage, Behaviour, and Execution of  
JOHN JONES, at Kennington Common, for Rob-  
bery.*

ON Wednesday the 26th of March, 1794, the assizes were held at Kingston, for the county of Surry, when JOHN JONES was indicted for feloniously assaulting Thomas Harrison, on the King's highway, at Lambeth, in the county of Surry, putting him in fear, and feloniously taking from his person, about six guineas in gold, and nine shillings in silver.

The prosecutor related the particulars of the robbery, and swore positively that the prisoner was the man who committed it.

Several other witnesses corroborated the charge against him.

In his defence, he denied the crime, and called witnesses to his character.

The Jury found him guilty, sentence of death  
was

was passed upon him, and the Judges left him for execution.

This unfortunate criminal was born of Welch parents, who gave him a decent education, and then bound him an apprentice to a sadler.

During his apprenticeship he behaved tolerably well, and being out of his time, worked as a journeyman for two or three years, and bore a good character.

But getting acquainted with idle and loose young fellows, who spent their time in skittle grounds and alehouses, he neglected his business, and, to supply his wants, committed depredations upon the public.

For a time he was so lucky as to raise considerable contributions, without falling into the hands of justice, until growing bold and daring, he committed the robbery which brought him to an untimely end.

When he was executed he was only twenty-five years of age; a good looking man, but rather small in stature.

For some time previous to his being apprehended, he lived with a woman of loose character, and that contributed not a little to bring him to an untimely end.

On the morning of execution, soon after ten o'clock he was put into a cart, and conveyed to Kennington Common, the place of execution for the county of Surry.

After praying some time with the clergyman, the cap was pulled over his eyes, and he was launched into everlasting happiness or misery.

He acknowledged the robbery he suffered for, and desired the spectators to take warning by his untimely death, shun all bad company, and avoid  
u 2 idleness.

idleness. He was executed the 14th of April, 1794.

Idleness is the root of all evil—in this remarkable character we see, that as long as industry was pursued, happiness attended, but no sooner was business neglected, than dissipation and ruin followed with their general concomitants, shame and misery.

When herding with the sinful tribe,  
We fall into temptation;  
And all iniquities imbibe  
By such communication.  
The proverb says—and we must own,  
That just too is the sentence;  
“The morals of a man are known,  
By marking his acquaintance.”

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*Account of the Behaviour and Execution of JOHN and NATHAN NICHOLS, Father and Son, for the inhuman Murder of SARAH NICHOLS, Daughter to the one, and Sister to the other.*

ON the 14th of September, 1793, in the evening, JOHN and NATHAN NICHOLS, waylaid Sarah Nichols, daughter to the former, and sister to the latter: the former drew a stake out of a hedge, and, giving it to his son, urged him with threats to commit the horrid deed of murder; whereupon the boy, striking his sister on the head, knocked her down, and repeated his blows, till he had deprived her of life: he afterwards, at his father's desire, went and tied one of her garters round her neck, and dragged her into a ditch, where she was found the next morning.

Nathan

Nathan Nichols was 19, and his unfortunate sister, Sarah Nichols, 17 years of age.

At Suffolk affizes, held at Bury, both the father and son were tried for this wilful and inhuman murder, capitally convicted, and received sentence of death in April 1794.

Two of Nichol's daughters, one a married woman, the other only twelve years of age, gave evidence against their unnatural father, whose monstrous depravity, the Judge observed, in instigating one of his own children to murder another, exceeded every thing he had ever before met with.

On their arrival at the fatal tree, they both persisted in their innocence; and notwithstanding the very ample confession of the boy, he then said, *that his father was innocent, for all he knew*, of the fact for which they were to suffer. The behaviour of the elder Nichols was very undaunted, as he gave away his hat and neckcloth to some persons standing in the crowd, with apparent unconcern; and, on ascending the ladder, addressed himself to the spectators, saying, "Life is but a short passage, and now I am at the last step: of the crime, for which I am going to suffer, I am entirely innocent." After hanging the usual time, the body of the elder Nichols was conveyed to Fakenham, to be hung in chains near the spot (between Homington and Fakenham) where the murder was committed; and the younger one taken for dissection at Bury. John Nichols was about sixty years of age, and had been many years employed as hedge-carpenter to the Duke of Grafton.

Few cases of greater enormity ever appeared before a Court of Justice than that of the Nichols's; indeed it was an instance of inhuman  
and



and unfeeling barbarity almost unparalleled ; that a father should league with, and incite his own son to commit murder on the body of his own daughter, is almost too shocking for conception ; but that he did so, appeared evident from the clearest circumstantial testimony. Their impenitent departure from this world is an aggravation of their guilt : the son had evidently imbibed all the wickedness of his father, who was old in sin. What a horrid example of the ferocity of mankind, and the depravity of human nature—it was barbarism exceeding that of the most wanton savages !

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*Trial and Execution of THOMAS NOBLE, for  
infamous Extortion at Winchester.*

**T**HOMAS NOBLE was capitally convicted at Winchester assizes in 1794, for extorting a guinea from Mr. Moore, of Portsmouth, under a threat of charging him with an unnatural crime, and suffered the sentence of the law at the usual place of execution. Noble was a native of Woodchester in Gloucestershire ; his parents, creditable and honest, apprenticed him to a hair-dresser at Bristol, from whom he ran away, and, disregarding the advice of his parents, associated with bad company, broke the sabbath, and lived without the fear of God, till a miserable end finished the career of his vices.

He was for some time in expectation of a reprieve, and in all probability would have obtained it, had not the learned judges seriously considered the enormity of the crime, and the necessity of an exemplary punishment—No offence, murder excepted,

excepted, can be so great---and figuratively speaking, we may call it murder, for it is absolutely destroying not only the peace of an innocent man, but likewise his reputation---“the immediate jewel of our soul”---Noble suffered in April, 1794.

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*Conviction of ROBERT PERRY, and his two Sons, for Robbery; with the Execution of the Father.*

AT Salisbury assizes, ROBERT PERRY, and his two sons, John and William, were capitally convicted of robbing Mr. Powles and Mr. King, of Broad-walk, on the highway---the sons were respited, and the father left for execution.

The father was executed pursuant to his sentence, April 1794, on the temporary drop in the court-yard of Fisherton gaol.---This man was an atrocious offender, and had before been sentenced to transportation for felony, which he had expiated on board the hulks at Woolwich. His present offence was much aggravated by his having induced his two sons to be parties. At the place of execution he behaved with much fortitude, decency, and penitence.

It is a lamentable thing when parents, who should instruct their children and set them a good example, bring them up on the contrary in vice and extravagance---they have much to answer for, and their offspring but little to thank them for.

*The Execution of RICHARD THOMAS, for Robbery at Radnor.*

**A**T Radnor assizes, RICHARD THOMAS was capitally convicted of robbing Mrs. E. Lloyd, and received sentence of death. He was accordingly executed on the 6th of June, 1794.

The crime for which he suffered was much aggravated by the cruel manner in which he behaved.--By trade he was a chimney-sweeper, and having formed a design to commit a robbery, he went in the middle of the night to a house inhabited by a Mrs. Elizabeth Lloyd, who lived at Kinarton, in the parish of Old Radnor; the house being rather low, he contrived to climb to the top of it, and then descending down the chimney, he entered the bed-chamber of the affrighted woman, who was soon waked with the noise he made, and the horrid imprecations which he uttered, at the same time threatening to murder her if she did not deliver her money.---The poor woman terrified, begged for mercy, and gave him three shillings, which was all she had in her pocket. He then left her, vowing vengeance if she stirred from the bed, or attempted to discover the deed.

We find it is the brutal behaviour of this man, and not the paltry sum of three shillings which he took, that operated so much against him---it has been already observed, that the sum which is taken does not increase or decrease the crime, for the crime lies in the *intention*: there is no doubt if the woman had *guineas* instead of *shillings*, they would have been more acceptable. The threats &c. of this man made his guilt great, and the perversity of the plunder was no extenuation.

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*The Life, Trial, and Execution of JOHN INNES,  
for Forgery.*

JOHN INNES was born at Glasgow in Scotland, his father was a respectable merchant at that place, and gave his son a good education, by which he profited little, but as it enabled him with greater art and cunning to impose upon others. In the earlier part of his life he followed the sea; the instability of his mind not suffering him to follow any settled employ, till his return, when he married an amiable young woman, by whom he had seven children.

During the period of his marriage state, he was sober, steady, and diligent; but on the death of his wife, his rambling disposition returned: he soon spent, in extravagance and debauchery, a decent fortune he had accumulated by trade, and was necessitated to follow some other pursuit. The connection of his family, the good character he had once borne, and his abilities together, soon procured him a situation as a steward of a nobleman's estate. In this situation his mind took a different turn; he became griping and avaricious in the extreme; his conduct was vexatious and oppressive to the tenants, from whom he extorted considerable sums by threats, and continually involving them in law suits, and other difficulties, and then extorting money from them, by way of compromising the dispute.

In this situation he remained till the death of the nobleman, when the estate was sold; he then turned money lender, and practised as a pettifogging attorney, by which unlawful practice, he acquired immense wealth; but his covetous dis-



position was not yet satisfied ; he wanted to gain riches by wholesale, when unluckily he determined upon forging a will, purporting it to be the last will of Anthony Bowman, deceased, with an intent to defraud Sir Charles Morgan, Bart. and Thomas Wright, Esq.

The prisoner brought an action, in the Court of King's Bench, against the prosecutors, to recover money in virtue of the will : but the first witness he called to prove the will, said, that he was nephew to Innes, and at the request of his uncle, came to swear to a falsity, for that he knew the will to be a forgery.

His trial came on February 21, 1794, when his guilt appearing evident, the Jury, without hesitation, brought in their verdict—*Guilty*.

Innes, hardened in iniquity, had for many years preyed upon the public with impunity ; but the even hand of justice at length overtook him, and consigned him to that fate he had so long and so justly deserved ; he left behind him considerable property, for the most part acquired by fraud and plunder.

During his confinement in Newgate, and till the day before his death, he protested his innocence in the most solemn manner, though nothing could be clearer than his guilt ; but when he found all would not save him, and he came to the place of execution, he addressed the spectators in the following words :

“ Good people,—You see in me the victim of early prodigality and late covetousness. In my youth I stuck at nothing to indulge my passion ; when advanced in years, nothing would satisfy my thirst for riches ; and I now justly meet the punishments due to my abominable extortions and  
wickedness

wickedness. I have hitherto denied my guilt; but now I wish to atone for it in some degree, by acknowledging it before God and man. May every one take warning by my example.—So good people I beg your prayers, may God bless you all, and have mercy on my sinful soul.”—So saying, he met his fate before Newgate, at the Old Bailey, July 11, 1794.

It is amazing how a desire for riches can so often lead us aside from virtue and integrity—how many sell their precious souls for idle dross---yet what can it avail a man though he gain the whole world, if he loses his own soul?

*The remarkable Case and Execution of JOHN SWINDEN, for secreting a Letter.*

JOHN SWINDEN was a letter porter in the General Post Office, a situation which gave him frequent opportunities of committing the most dangerous and worst species of robbery, the crime being aggravated by breach of trust. He was indicted for feloniously secreting, in the city of London, a certain letter, containing a Bank of England note, to the value of 15l. which had come into his possession, by virtue of his employ.

Peter Wed and others proved the charge, and he was found guilty; the Jury however recommended him to mercy; but a breach of trust in any of the public offices is of so dangerous a nature, that their humane request could not, consistent with the public property, be in this case complied with.

There was something singular in the case of this unfortunate man. He was first committed to prison in the preceding September, and at the ensuing

sessions, the evidence for the Crown not being ready, his trial was put off, and he was admitted to bail.—He honourably surrendered himself, but put his trial off till next sessions, alledging the absence of a material witness; but when the fatal time came, he was found guilty.

The principal witness, and indeed the only one that could affect the life of this unfortunate man, was so friendly to him, that he absconded, and lay concealed at Birmingham, and the Post-master offered a reward of 50*l.* for discovering him. But Swinden being out upon bail, discovered to a friend, as he thought, where the witness lay hid. This friend discovered the retreat, the witness was brought to London, and Swinden prosecuted to conviction.

Whilst under sentence of death he behaved in a penitent manner, and having good friends, made great interest for a respite, but finding all hopes in vain, he prepared in earnest to meet his awful fate.

The following is a copy of a letter to his wife, while under sentence of death.

*Cells of Newgate, Tuesday night, 10 o'clock.*

“ My dear wife,

“ Wretch that I am! how shall I expiate my guilt?—my own sufferings cannot sufficiently atone for the load of afflictions I have brought upon you, my dear Mary, and upon our unhappy children. Forgive me, my dear, if you can, and we may yet meet together in a happier place, where there are no wants to tempt us to wickedness. I know you must struggle hard in this world; you will meet with shame and reproach you have not merited; but bear it with resignation; and, above  
all

all things, my dear wife, be careful to bring up our children in all humility, inspire them with an early sense of religion, their duty to God and man, and to shun that fatal extravagance which has been their father's ruin; teach them to curb their passions, and to check their unreasonable desires, or like me, they may be tempted, and suffer the punishment so justly due to dishonest practices.

“ My dear Mary, I know not how to bid you farewell!--The thought wrings my heart!--but we must part!--a few more unhappy hours, and I shall be no more!--God grant us both strength and grace to bear our sufferings with a patient resignation to his will, and may he, for Christ's sake, forgive us our sins, then we shall be happy for ever after. Farewel, my dear love, farewell!

“ JOHN SWINDEN.”

The following is a copy of another, written the night before his execution.

“ My dear wife,

“ I take the last opportunity, allowed me in this world, to return you my dying thanks for the affection, sincerity, and love, which I have ever experienced from you, and particularly during my present awful and deplorable situation. Since it is doomed that we must part, let me beg of you to submit, with patience and resignation, to the will of the Almighty, trusting in the sure and certain hope of a joyful meeting in Heaven, by the blood of our blessed Redeemer, Jesus Christ.

“ I beg that you will return my unfeigned thanks to all my friends, for their kind efforts in my favour; and tell my enemies, that I forgive them, as I myself hope to be forgiven.

“ And



“ And that the Lord may bless and comfort you, is the prayer of your dying husband,

“ J. SWINDEN.”

He suffered with John Innes, the subject of the preceding article, and behaved in a very penitent manner.

Severity is absolutely necessary to check the danger that might result from the least lenity shewn to a breach of trust.—It is to be hoped that all who are thus entrusted will guard against temptation and dishonesty.

*The Trial, Lives, Conviction, &c. of ROBERT RAINÉ and WILLIAM EVERSFIELD, for Robbery.*

ROBERT RAINÉ and WILLIAM EVERSFIELD were indicted for feloniously assaulting Elizabeth Carter, putting her in fear, and forcibly taking from her person a pocket, containing a pair of spectacles and other things.

Elizabeth Carter swore, that on the 5th of March, as she was returning from Islington, at nine in the evening, she was pushed off the foot-path, in Spa Fields, Clerkenwell, by the two prisoners at the bar.

Eversfield tripped her up, and throwing himself upon her, called out to his comrade to give him a knife.

That a knife being given him, he cut off her pocket, which he delivered to Rainé, who ran off with it. After which Eversfield struck her several blows in the face, which caused her mouth  
and

and nose to bleed in a violent manner. Soon after this a watchman came up, and took her under his protection, and leading her towards his box, she heard the cry of watch! Almost immediately after this, she saw Eversfield delivered by a gentleman into the custody of the officer. She immediately knew him to be one of the men who robbed her.

The patrol of Clerkenwell parish being informed by a casual passenger, that a woman lay bleeding in the grass, went to the place, and found her in the situation described. He was leading her along, when he was called by a gentleman, who delivered Eversfield into his custody.

Mr. Surrell said, that he was an attorney, and lived in the Spa Fields, that on the 5th of March, about ten at night, he was attacked by the two prisoners, near his own house, who attempted to rob him of a small bundle which he had in his hand. He immediately seized Eversfield, and delivered him to the patrol.

The patrol, in consequence of the woman's description, apprehended Raine the next day, and found in his possession a pair of spectacles, a nutmeg grater, &c. all which articles the prosecutrix swore to.

The prisoners in their defence said, that the prosecutrix frequently visited them in prison, and expressed an unwillingness to prosecute them; that she agreed to make it up for six guineas, and had received two guineas in part.

Elizabeth Carter, on being questioned by the Court, said, that at the earnest intreaty of Raine's wife, she went once to Newgate.

The charge being clearly proved, the Jury found them---*Guilty---Death.*

William Eversfield, was born of poor, but honest parents, in the parish of St. Sepulchre, in the city of London, and at an early age put into the charity school belonging to the parish.

Being a sharp and active lad, he took what learning the school afforded very fast, and upon quitting it, very few in the school could surpass him in reading and writing.

He then lived some time in Chick-lane, as pot boy to a public house, and quitting that situation, was bound as an apprentice to Mr. C----le, a knife case maker, residing near Smithfield.

In this situation, his behaviour was so very indifferent, that his master frequently declared, he verily believed his apprentice Eversfield would come to the gallows !

When out of his time, he paid but little attention to business, and giving himself up to idleness and bad company, supported a precarious livelihood, by committing those depredations upon the public, which, in the prime of life, had nigh brought him to an untimely and wretched end. He received however a conditional pardon, on account of his youth.

Robert Raine, concerned with him in committing the robbery, declared, that idleness and bad company were the cause of his ruin. -- Whilst under sentence of death, they behaved in a manner suitable to their melancholy situation. Raine suffered with John Innes and Swinden, leaving behind him a wife and two small children !

How easily is unwary youth entangled by the snares of vice---let young people therefore learn

to be wise and prudent, and from the exemplary misfortunes of these unhappy characters, learn to prefer the sweet and wholesome bread of industry, to that which is both life and soul-destroying, of dishonesty !

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*The remarkable Case of WILLIAM BUTTERWORTH  
and FRANCIS JENNISON, for the Murder of Mr.  
JOHN GROUNDWATER.*

AT the Hants assizes, in the beginning of August, 1794, WM. BUTTERWORTH and FRANCIS JENNISON, two convicts at Cumberland Fort, were tried before Mr. Justice Grosse and Mr. Baron Thomson, for the murder of Mr. John Groundwater. one of the persons deputed to look after them; the circumstances of this murder were of the most brutal and atrocious nature. These hardened wretches, on being reprimanded by Mr. Groundwater, who threatened to report them for ill behaviour, swore that they would rip his bowels out; and were heard by another of the convicts debating about the manner of perpetrating the murder. Accordingly, about six in the evening of the same day, they fell upon him with two iron shovels, with which they had been at work in spreading gravel, and with which they gave him three such wounds on the skull, that his brains fell out in the quantity of a double handful. They then struck down one of the shovels upon his neck, with intent to sever the head from the body, but, striking against the bone, it had not the intended effect. The rest of the convicts ran to the spot, and one of them caught hold of Butterworth, to prevent his mangling the



body any more; but after a struggle, he disengaged himself, ran back to the unfortunate sufferer, and, catching up the spade again, gave him several cuts, saying, "There, damn him, I have done him out and out." On being remonstrated with for his inhuman conduct, he replied, that he was transported for life, and he would rather be hanged than suffer that sentence.—It is a most extraordinary circumstance, established on the evidence of Mr. Hill, surgeon, who attended him, that Mr. Groundwater lived eighteen hours after he had received these grievous wounds, notwithstanding the brains had fallen out, and a prodigious effusion of blood had taken place. He never spoke after the second blow was given him, but the action of the pulse was strong, and respiration continued the whole of the eighteen hours above-mentioned. This fact seems to decide the long-contested point between physiologists, whether the seat of life is in the heart, or in the brain? and evidently shews it to be in the former.

Butterworth, though thus steeled in cruelty, was only nineteen years old; his wretched companion was twenty-five. The atrocious publicity of the deed, and consequent clear evidence of their guilt, would not admit of their setting up any defence. The Jury pronounced them guilty, they were sentenced to be executed in three days after in Lanston harbour, and their bodies to be afterwards hung in chains in Cumberland Fort.

They were taken from gaol about four o'clock on Monday morning, and reached Portsea about eleven. The spectators that crowded to see the execution were immense. Both the prisoners acknowledged that they alone were the persons who committed the murder, exculpating all the other

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convicts from a participation in this horrid offence. Their behaviour was very penitent, and they seemed to sensibly feel the enormity of their crime. The execution took place about twelve o'clock, and their bodies were afterwards hung in chains, pursuant to sentence, near the spot where the murder was committed.

From the confession of the prisoners it appeared, that though very young, they had committed a great many robberies, and had lived by depredations on the public almost from their childhood. The eldest of these offenders received sentence of death for a burglary at the last summer assizes at Derby, but was reprieved on condition of serving on board the hulks for life. Butterworth had also been capitally convicted for a similar offence at the assizes at Maidstone, and received a reprieve on the same condition; he had been on board the hulks not more than seven days, when he and the other prisoner resolved to destroy Mr. Groundwater.

These unfortunate men appear to have been so hardened in sin, that instead of their former sentence having made any impression on their minds, they possessed a greater propensity for evil, nor were they content till to felony they added the horrid crime of murder; happier had it been for themselves and the sacrificed Groundwater, had their first offence brought them to the gallows—indeed these repetitions of guilt are so frequent, that justice holds it a mistaken mercy to shew now a-days any lenity.

*The Trial, &c. of ANN SCALBERD, at York,  
for the Murder of her Mother-in-Law.*

ON the 8th of August, 1794, came on the trial of ANN SCALBERD, for the murder of her mother-in-law.

It appeared that he had asked the deceased to partake of some milk, which she said was designed for her childrens dinners. With this request she complied, but perceived something gritty at the bottom of the pot, and thought there was something peculiar in the taste: She was taken ill about half an hour afterwards, conjectured she was poisoned, and charged the prisoner with having destroyed her. She languished near a week and then died. On her body being opened, arsenic was found in her stomach. It was proved that the prisoner had been previously at several shops attempting to buy mercury, &c.

During the examination of the first witness, Mr. Thomas Davison (one of the Jury) fell down in a fit; there being no probability of his attending to the remainder of the evidence, a new Jury was called, and the trial re-commenced.—They pronounced her guilty, without the smallest hesitation, and she was executed on the following Monday. She received her sentence without appearing at all affected, and suffered with the greatest composure.

Generally in trials for murder by poison, as circumstances can only be depended upon, the matter becomes so doubtful, that though there is great room for suspicion, the culprit is acquitted. This case, however, was different---Ann Scalberd's

berd's guilt was so strongly corroborated, that justice demanded a proper example to be made of the inhuman offender.

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*The remarkable Life, Trial, &c. of NOAH PIERCE,  
for Robbing the Letter-bag of the Mail Coach.*

PIERCE was a shoe-maker at High Wycomb, and having several times observed the manner in which the letter bag was delivered to the guard belonging to the mail-coach, he formed the desperate resolution of becoming master of it.

Observing the mail-coach coming in one night, he went immediately to the Post-office, and imitating as near as possible the voice of the guard, called out, "Bag, bag."---No sooner had he spoke the word, than the window up one pair of stairs was opened by a woman who was nursing the post-master's wife, and by this woman the bag was thrown out to Pierce, who immediately set off with it, and was hardly got out of sight, when the guard came and made the same demand. This caused a great alarm, but the bag was irrecoverably lost, and all enquiries proved in vain.

Leaving the parties in amazement for the loss of the bag, we return to Pierce, who arrived safe at home with his booty, which he opened the next day, and searching the letters found a number of notes and bills; these he carefully put up, and buried the letters and bag in his garden.---By some circumstances that arose, Pierce was strongly suspected of having a hand in the robbery, but the persons who suspected him kept it very private.

Pierce at last thinking the whole affair to be forgot,



forgot, set out for London, with an intent to purchase some leather. On the road he changed a twenty pound bank note, and on his arrival in London, going to a leather-sellers, he bargained for some leather, and offered in payment a draft on a London banker, which had several days to run. The dealer in leather asked him his name, which he immediately told : he then desired him to sit down and drink a draught of porter, while he just stepped out. He then went to the banker's who lived just by, and presenting the bill, asked if it was a good one, and desired to know if they would pay it when due : they assured him it was a good bill and would be paid. They then demanded of the leather dealer who, and what he was, and how he came by the bill---He then related the circumstance of Pierce coming to him, and dealing for some leather, and that he was then at his house---Oh that is the very man, replied one of them, that we want to see. A hackney coach being called, they went to the leather-seller's, where they found Pierce, and desiring him to come along with them, told him that he should receive the money for the bill. Pierce went with them, but suspecting as they went along that all was not right, he slipped his pocket book down into the coach ; which being found and offered to him, he said it was not his,---On examining the pocket book, the remainder of the notes lost out of the bag were found. Pierce was then committed to prison, tried at Buckingham assizes, in August, 1794, and being found guilty, was ordered for execution.

A respite, however, was received from the Judge at Huntingdon, by the Sheriff of Buckinghamshire, not to execute the body of Noah  
Pierce.

Pierce. A circumstance having arisen upon the Judges deliberating upon the case, on which the opinion of the Twelve Judges was necessary, before the sentence pronounced could be put in execution, he received a conditional pardon.

In this character we see the pernicious consequences of low art and cunning, which generally involve us in fatal difficulties, ere we are aware of our danger.

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*The remarkable Trial of HANNAH LIMBRICK,  
for the Murder of her Daughter-in-law.*

**H**ANNAH LIMBRICK was charged with the murder of DEBORAH LIMBRICK, her daughter-in-law, at Norwood's Green, in the parish of Westbury.

This trial came on before Mr. Justice Heath, at the Gloucester assizes, August, 1794.

The first witness called in was Ann Case, who deposed that she lived at Norwood's Green, and knew the prisoner very well, that on the 14th of February, she beat the child very cruelly and called it names. Ann Case was then in her garden, between which and the prisoners there was a hedge---She heard several blows about nine in the morning---the child was a daughter of Thomas Limbrick, by a former wife.

The next witness, Elizabeth Woodhouse, said she lived about a stone's throw from the prisoner ---she did not hear the blows given on the 14th of February, but on the morning the child was laid out, the prisoner and she had some words, Mrs. Case's little girl said the child was dead, and the prisoner answered, I have not hurt her, and said  
it

it was some of her lies ; she told her that she had killed the child by inches, and had starved her.

Thomas Limbrick, who was only nine years of age, said he lived with his mother when Deborah was beat--that his mother throw'd her down all along with her hands---and then against a wall, and kicked her in the belly. That afterwards she picked her up, and beat her with the hacker on the side of her head ; wiped the blood off with a dish-clout, and took her up to bed after she was dead. When his father came home, she told him the child was bad, but did not tell him she was dead.---She washed the dishclout out to get the blood off.

The hacker was produced which the child was struck with, and Mr. Lander, a surgeon at Newnham, being examined, deposed, that on the 16th of February he was desired to come and look at a child that was dead two days ; he found a large contusion behind the ear, another under the jaw, two black and blue spots on the head,---the arms and one finger was black,---the abdomen was black. He examined the head, and found a cut under the lip---The upper jaw was broke. He believed it was done with a bill or hacker, that the blow was the occasion of the death of the child, and that it died soon after it received the wound in the jaw.

The prisoner being called upon to make her defence, made the following declaration.

“ The child asked me to give her some dough, I bid her come, and she fell down between the wood and fell on the hacker, but I did not see any blood. Her father took her up stairs---About an hour after she called for the pot. I told her when I put her to bed, that if she would lay still,  
when

when I had dressed the others, I would come to her. I told the boy to call some person in. The child fell down stairs the day before."

The Jury without hesitation found her guilty.

Mr. Justice Heath then addressed the prisoner. —Hannah Limbrick, you have been convicted of a most horrid murder of a young child---It was committed in a most barbarous manner; and you made use of every means to conceal it---Yet the Providence of God has so far interposed as to make your guilt public—Your crime is so heinous that it cannot be pardoned in this world. In the interval of time from the passing sentence, to the hour of execution, I earnestly intreat you to make up your account—Shortly you are to appear before another and more awful tribunal---The sentence that I now pronounce against you, is, that on Friday next you be taken to the place of execution, and there be hanged by the neck till you are dead---Your body to be dissected, and the Lord have mercy on your soul.

This unfortunate wretch was executed according to her sentence on the day appointed---she behaved in a very penitent manner, and seemed conscious of her wickedness.

There is something shocking in treating poor innocence with cruelty and barbarism---that wretch who can withstand the smiles---or what is more, the tears of sweet simplicity, and shed its innocent blood, possesses a hardened savage heart, and is a disgrace to a civilized country.



*The remarkable Trial of HANNAH WEBLEY,  
for the Murder of her bastard Child.*

AT the same assizes, August, 1794, came on the trial of HANNAH WEBLEY, who was charged with the murder of her male bastard child at Hinton, in the parish of Berkeley.

Hannah Chair, a girl of sixteen years of age, deposed, that the prisoner was a single woman---that she was taken ill on the 1st and 2d of June---she slept with the prisoner, who was a servant with Mr. James Pick, and was awaked in the night by the noise and crying of a child---it was dark---she could only observe that the prisoner was leaning over the bed-side: she heard her curse the child---after that she heard two blows (after which the child did not cry) and the prisoner said "D---n thee thou *bist* done for now." She then took her petticoat off the bed, and went down stairs---the witness now went and told her master---the prisoner returned in a few minutes after she had called her master, and brought the child back again---it was between two and three in the morning---she was afraid to speak to her---the prisoner had provided no child-bed linen.

Mr. Pick, the master, corroborated what Hannah Chair said; he also deposed that the prisoner never acknowledged she was with child--he saw the child, which lived till noon the same day---he had it baptized.

John Cornelius Hends, a man-midwife, said that he was sent for to Mr. Picks, on the 2d of June, to look at a child which was alive and a male---a woman had it on her lap---he observed a  
depress-

depression or fracture of the skull. There was only one fracture, which appeared to have been done with great violence; there was a discharge of blood from the right ear. He said the fracture might possibly have been occasioned by the child's falling on the floor, but he never knew an instance of such a thing happening on delivery.

The prisoner, in her defence, made the following declaration.

"I was taken very ill, was used to have the chollic --my pains came on, I walked backward and forward, the child fell down with great violence---I said, "Lord have mercy upon me, I am afraid thou art done for." I went down, thinking to take the child to my intended husband at Newport."

The Jury, after a little consultation, brought in the prisoner guilty.

The following sentence was then passed by Mr. Justice Heath.

Hannah Webley, you have been convicted of a most cruel and unnatural murder---So far was you led on by the fear of a discovery of your shame, as first to curse, and then deprive an helpless infant of life; by this wicked act, you own life is forfeited to the injured laws of your country---You must now suffer a severe punishment for your crime, even the loss of life---And I hope the punishment, dreadful as it is, will be an instructive lesson to the female part of the creation, and convince them, that those who swerve from the paths of virtue, will be tempted to the commission of the worst of crimes---I also hope that your punishment will be a lesson to those young men who artfully endeavour to seduce young women from the paths of virtue, and that your sad

end will be a monitor to them, and especially to him, who, though at present unknown, except to yourself, inveigled you into the paths of infamy and disgrace.---It remains with me, to pass that terrible sentence of the law, which is, that on Saturday next, you be taken to the place of execution, and there to be hanged by the neck till you are dead, and that your body be delivered to be dissected, and may the Lord have mercy on your soul.

Applications were made to his lordship, for a respite for this unhappy female, but his lordship declared, that he was so much convinced of her guilt, that she must suffer.

The admirable remarks made by Mr. Justice Heath on this most unnatural murder, render any comments of ours totally unnecessary ; she was executed.

*The remarkable Trial of ROBERT WATT and DAVID DOWNIE, for High Treason at Edinburgh, with a particular Account of the Execution, &c of the former.*

ON the morning of the 3d of September, 1794, eight o'clock, the following Judges took their seats on the Bench :

Lord President in the Chair.

Lord Chief Baron,	Baron Norton,
Lord Swinton,	Lord Abercrombie,
Lord Justice Clerk,	Lord Eskgrove,
Lord Dunsmuir.	

Mr.

Mr. Knapp, Clerk of Arraighs, proceeded to call the Jury, several of whom, in consequence of the peremptory challenge which the English law affords, the prisoner objected to: at last a Jury of twelve citizens were sworn in and impaneled.

Mr. Knapp recapitulated to the Jury the heads of the indictment, particularizing the different overt acts of treason of which the prisoner Watt was accused.

Mr. William Dundas, in a short speech, opened the cause for the crown; which, he observed, the recapitulation of the indictment enabled him to do almost in a single sentence.

Mr. Anstruther followed, and in a strain of calm dispassionate eloquence, proceeded to lay before the court and the Jury the case which was to be proved.

Such, he said, was the peculiar happiness of this country, that we had been unacquainted with the law of treason for nearly half a century. It was not his intention, if he possessed the powers, of inflaming their passions against the prisoner; his object was to give a plain, a dry narrative of the facts, and a succinct statement of the law. The laws of treason were now the same in England and Scotland, and the duty of the subjects of both kingdoms should be the same. Scotland, in this instance, had reaped much benefit by the Union, as her laws of treason, previous to that period, were much more severe. The act of Edw. III. stated three distinct species of treason: ---1. Compassing and imagining the death of the king.---2. Levying war against him.---3. Assisting his enemies. He would not trouble the Court or Jury with the two last: the single species of treason,



son, charged in the present case, was the compassing and imagining the death of the king : which was defined by the conceiving such a design : not the actual act, but the attempt to effect it. But the law which thus anxiously guarded the sovereign, was equally favourable to the subject : for it does not affect him until that imagination is fully proved before “ men of his condition.” An overt act of treason is the means used for effectuating the purpose of the mind : it is not necessary to prove a direct attempt to assassinate the king : for the crime is the intention, and the overt act the means used to effectuate it.—He wished not that these sentiments might be held as the opinion of counsel ; they were founded on the construction of the ablest writers, Chief Justices Foster, Hale, &c. ; and, whatever could be proved against the prisoner, which may endanger the king’s person, was an overt act of high treason, in the language of the ablest writers.

After explaining more fully the distinct species of treason which applied to the present case, Mr. Anstruther said, he trusted that if he could prove any design whereby the king’s person is in danger, that was an overt act ; if he was wrong, the Judges would correct him.

He would now state the facts on which these principles of law were to be laid. The present conspiracy was not that of a few inconsiderable individuals ; it had risen indeed from small beginnings ; from meetings for pretended reforms. It had been fostered by seditious correspondence, the distribution of libellous writings, and had, at last, risen to a height which, but for the vigilance of administration, might have deluged the country, from one end to the other, with blood.

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The proceedings of these societies, calling, or rather miscalling themselves Friends of the People, were well known; their first intention was apparently to obtain reform; but this not answering their purpose, they proceeded to greater lengths. He meant to detail the general plans and designs formed amongst the seditious, and then to state how far the prisoner was implicated in them.

The first dawning of this daring plan was in a letter from Hardy, Secretary to the London Corresponding Society, to Skirving, the Secretary to the Friends of the People here. He writes, that as their petitions had been unsuccessful, they must use separate and more effectual measures. Skirving answered, and admitted the necessity of more effectual measures; that he foresaw the downfall of this government, &c. Here also was the first notice of a Convention, a measure which it is no wonder they were fond of, when they saw its effects in a neighbouring kingdom. They meant not to petition parliament, but to proceed in their own plan, and supersede the existing government of the country; and, in that case, the king's life was put in danger. Soon after, a Convention, a body unknown to the laws of this country, met; and in this there would have been little harm, had their views been peaceable; but their objects were avowedly unconstitutional, and their intention to carry on their plans by force, and thus virtually to lay aside the prerogative of the king. This Convention accordingly met; using all the terms, regulations, &c. adopted by the Convention of another country; in which, it might be said, there was in reality little harm, but it was surely a marking proof of their designs. They meant not

to apply to parliament; for whenever that was mentioned, they proceeded to the order of the day. They resolved to oppose every act of parliament, which they deemed contrary to the spirit of the constitution, and were determined to sit, until compelled to rise by a force superior to their own. This Convention, indeed, was dispersed by the spirited conduct of a magistrate (Provost Elder) whose merit every one was forward to acknowledge, and to whose active exertions the country was so much indebted—but another Convention was attempted to be called, who were to frame their own laws, and be independent of the legislature; or, as they say, independent of their plunderers, enemies, and oppressors; meaning the King, Lords, and Commons; their resolutions will prove, that they meant to create a government of their own; to do away the authority of what they called hereditary senators; and packed majorities; all which prove the intention of putting the king's life in danger.

But what, it may be said, is all this to the prisoner at the bar? who, surprising as it may appear, about two years ago, wrote letters to Mr. Secretary Dundas, offering to give information as to certain designs of the Friends of the People. These letters were answered by that Right Honourable Gentleman with that propriety which has ever marked his public conduct. The prisoner then corresponded with the Lord Advocate; the particulars of which would appear, as his lordship was subpoenaed.

Since September 1793, this correspondence has ceased. Previous to that period, the prisoner was not a member of the Society of Friends of the People; nor of the British Convention, but his  
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accession since to its measures, and the calling of another Convention, could be substantiated. The Convention, indeed, though dispersed, did not cease to exist. In fact, a Committee of Correspondence, of which the prisoner was a member, was instituted, the object of which was, to carry into effect the views of the last British Convention, and to elect delegates to a new one. Mr. Watt attended this Committee, and coincided in its measures, which were expressly to supersede the legislature. The prisoner had moved for a Committee of Union, and another was appointed called the Committee of Ways and Means, of both which he was a member. This last was a secret committee, kept no minutes, was permanent, and empowered to collect money to support "the great cause." Mr. Downie was appointed treasurer, and it was to be the medium through which all instructions and directions were to be given to all friends of the people throughout the kingdom, and was to procure information of the number of those that would spare no exertions to support the great cause. They corresponded with Hardy, respecting the calling of a new Convention, which was to follow up the purposes of the old one; and, as the prisoner was present, he was in this way coupled with the British Convention. Their next attempt was to debauch the minds of the soldiers, and to excite them to mutiny; for which purpose a paper was printed and circulated among a regiment of fencibles then at Dalkeith. This paper, which was evidently seditious, would be brought home to the prisoner, for the types from which it was printed, were found in his house, and a copy traced from him into the hands of a soldier.



The next charge to be brought against the prisoner, and the committee of which he was a member, was a distinct and deliberate plan to overturn the existing government of the country. The plan produced was this:—A fire was to be raised near the Excise Office (Edinburgh), which would require the attendance of the soldiers in the castle, who were to be met there by a body of the Friends of the People, another party of whom were to issue from the West Bow, to confine the soldiers between two fires, and cut off their retreat; the castle was next to be attempted; the Judges (particularly the Lord Justice Clerk) were to be seized; and all the public banks were to be secured. A proclamation was then to be issued, ordering all the farmers to bring in their grain to market as usual, and enjoining all country gentlemen to keep within their houses, or three miles from them, under penalty of death. Then an address was to be sent to his Majesty, commanding him to put an end to the war, change his ministers, or take the consequences. Such was the plan of the Committee of Ways and Means, as proposed by the prisoner. Previous to this, it should have been mentioned, that all the Friends of the People were to be armed; for which purpose, one Fairley was dispatched round the country to levy contributions, and disperse seditious pamphlets; for which purpose, he got particular instructions from the prisoner. Reports were spread, through the same channel, that the Goldsmith's Hall Association were arming; and that it was necessary for the Friends of the People to arm also, for they would be butchered either by them or the French. It would be proved, that the prisoner gave orders to Robert Orrock, to make 4,000 pikes; and also

also orders to one Brown for the same purpose. These were to be used for completing the great plan; and Fairley's mission was to inform the country of this great plan. Another representative body was also formed, called "Collectors of Sense and Money," who were to have the distribution of the pikes, and to command the different parties. In one instance, a person had been desired to carry some pikes to the collectors; who made answer, that he could not do it, for the collectors were not to be trusted yet. Mr. Anstruther then recapitulated shortly the different heads; and concluded an elaborate and most clear and distinct pleading, of more than two hours and a half, by requesting the Jury to lay no farther stress on what he had said than it should be proved, as it was meant merely as a clue to the evidence which should be brought before them.

Mr. Anstruther then proceeded to adduce evidence for the crown.

The first called was Edward Lauzun, King's messenger. Upon being asked, if he was employed last summer to search the house of one Hardy in London—Mr. Hamilton, for the prisoner, objected to the question, and insisted that, before proving any other matter whatever, some direct overt act committed by the prisoner must be proved.

Mr. Anstruther answered, that before proving the prisoner guilty of being concerned in a particular plot or conspiracy, it was surely necessary first to prove that such plot or conspiracy existed. In the trials, in the year 1745, before any particular overt act was attempted to be proved against any of the accused, there was always evidence adduced to prove the existence of a rebellion.

The court over-ruled the objection. The witness then swore, that he seized several papers in Hardy's house, particularly a letter, signed by one Skirving, and several others; also a printed circular letter, signed, "T. Hardy, Secretary." These letters the witness produced.

Mr. William Scott, Procurator Fiscal for the shire of Edinburgh, gave an account of the seizure of Skirving's papers in December 1793, and of the after disposal of them. He produced several of these papers, particularly one entitled, "Minutes of Debate in the General Committee;" also several papers that were found in the lodgings of Margarot, Gerald, and Sinclair. Mr. Scott swore to his being present at the dispersion of the Convention.

The letter by Skirving and Hardy, being authenticated by Mr. Lauzun, who swore he found it in Hardy's possession, was then read by Mr. Knapp.

John Taylor, of Fleet-street, London, was then called. He swore he was a member of the London Corresponding Society, and was acquainted with Mr. Hardy, who was secretary to that Society. Being shewn several letters and papers, he believed them to be Hardy's hand-writing. The Society consisted of several divisions, about fourteen, he thought, in number; there were several committees, particularly a general one, which consisted of a member from each division—a Committee of Secresy--and a Committee of Emergency. The latter was formed in May last. He attended a general meeting of the Society at the Globe Tavern, on the 20th of January last---about 1,000 were present. So great was the crowd, that the floor gave way, and the meeting adjourned



adjourned to the Assembly Room, where the Secretaries read the resolutions, which were afterwards printed, from the Orchestra. An address, founded on these resolutions, was, afterwards carried by the shew of hands. One of the resolutions was, that the motions of Parliament were, to be watched over, and if troops were brought into the country, or the Habeas Corpus Act suspended, &c. that force ought to be repelled by force.

This witness produced a copy of these resolutions, which he got from a person of the name of Moir, in the presence of Hardy. He saw several other copies about the room. The witness was also present at another meeting, held at Chalk Farm (about two miles from London) on the 14th of April last. The meeting was of the same nature as the former; there was about 3000 persons present, and among others Mr. Hardy.

Henry Goodman, clerk to Mr. Wickham, London, was present at the meeting at Chalk Farm, and heard the resolutions read. The resolutions now shewn to him were, as far as he recollected, the resolutions passed at the meeting. He understood that it was the intention of the Society to arm themselves, to protect the members, in the same way that the National Convention of France had been protected by the citizens of Paris; that he heard this talked of in different meetings.

Alexander Atchison was a member of and Assistant Secretary to the British Convention, and wrote part of their minutes: he deposed, that the papers now shewn in Court to him, he had often seen before; that he took down the minutes as accurately as he could; that he recollected Mr. Candler making several motions in the Convention,  
and



and particularly an amendment to a motion which was referred to a Committee. This amendment was read. It related to the agreement in the Convention to continue permanent, and watch over the motions of Parliament, &c. &c. that he knew Mr. Watt, the prisoner, and was, together with him, a member of the Committee of Union. That Committee met in January last, the Convention being previously dispersed in December. The purpose of this Committee was to keep up a spirit of union among the friends of reform, and that he was sent there by the division of Cannongate. The great object of the Committee was to obtain the same kind of reform sought for by Mr. Pitt and the Duke of Richmond, about twelve years ago. That he was a member also of the Committee of Ways and Means, which was instituted for the purpose of paying past debts, and to defray the expence of future delegates to another Convention to be held somewhere in England, which second Convention was meant for the same purpose as the British Convention, namely, obtaining the reform first proposed by Pitt and Richmond; that he has often had conversations with different persons on the subject of reform; that he recollected having seen a pike in the house of George Ross, in the presence of several blacksmiths, which was shaped like the head of an halbert. Being asked, whether he ever gave a different account of what he had now sworn at any other place, he believed he never did; if he did, it must be contrary to truth, and this he should say, though he should be guillotined for it.

Mr. Erskine here stopped the witness, who was removed. He said, that it was an established point in the law of Scotland, that a witness could  
not

not be affected by any thing he had before said relative to the present subject of his examination, nor could it hurt him in any degree.

Mr. Anstruther said, that this did not exist in the law of England.

The Lord President observed, that it appeared to him there was really a discrepancy in the law, in this respect.

Mr. Anstruther here said, that, to put an end to the dispute, and as Atchison had conducted himself in such a manner, he would, so far from laying any stress on his evidence, request the Jury to throw out of their minds every syllable he had used.

George Ross authenticated the minutes of Convention, and other papers; knew the prisoner at the bar, and had seen him at his own house.

Mr. Sheriff Clerk deposed as to the pikes being brought from Watt's, and the fount of types, of which he had got an impression taken in the precise state they came from Watt's house.

[*Paper read---An Address to the Fencibles.*]

James Sommerville, a printer, deposed as to the casting off the impression from the types.

William Watson, at Dalkeith, once saw Watt at his own house, but could not say whether the prisoner at the bar was the man. Remembered a Fencible regiment in Dalkeith, which was about the time he met with Mr. Downie, who carried him to Watt's, to get a hand bill about the Fencibles, which he had heard of, and was curious to see; but could not get it there: and went to one Kennedy on the South Bridge, from whence he received several copies.

The Lord Advocate said, that, except those (Downie and Stock) against whom bills were already  
ready

ready found, he meant to bring no other person to trial for treason.

Arthur M'Ewan, weaver at Water of Leith, a member of the British Convention, and also of the Committee of Ways and Means, of which last Watt was a member, deposed, that, at one of their meetings, Watt read a paper, proposing to seize the Judges, banks, &c. to decoy the soldiers by a fire, &c. but did not know what was to be done with the persons seized, nor whether it was to be done in the day or night. Commissioners were to be appointed to take charge of the cash, but knew not what was to follow this. Deposed as to the proclamation to corn dealers and country gentlemen, and the address to the King to put an end to the war, &c. Watt asked him to accompany him to Orrock's, to whom he (Watt) gave orders to make pikes as fast as he could, as he had 4000 to send to Perth. besides what he had to distribute in Edinburgh. Orrock made a draught of one: a gentleman's servant asking what was their use, was told they were for mounting a gate. Knew that Fairley was sent into the country, and had visited a number of places; that he reported Paisley to be in a state of great readiness, but did not know what that meant. The witness disapproved of these proceedings, and would consent to nothing that would disturb the peace or shed the blood of his countrymen, and he thought the plan proposed would have that tendency. Watt produced, at one of the meetings, a paper containing what was called fundamental principles, which he knew but little of.

William Bonthorn was a member of the Society of the Friends of the People, but had resolved to withdraw, as things had passed he dis-  
approved



approved of. Watt, at one of their meetings, read a paper, of which he did not remember the particulars, as it confused him. The paper contained something about seizing the castle, raising an alarm by fire, &c. upon the supposition that numbers could be got to assist them. Remembered nothing of particular persons being intended to be seized; but thought the banks were mentioned; this paper frightened him much; it mentioned also the seizing the guard-house; recollected no numbers that were mentioned to carry this plan into effect. M'Ewan shewed an opposition to it. The circular letter of the Committee was written by Mr. Stock.

Mr. Sheriff Clerk deposed as to the finding sundry papers in Watt's house, one the drawing of a pike, and the paper sworn to by Atchison in the sub-committee.

John Fairley, wright, at Broughton, a delegate to the Convention, deposed that his constituents met after the dissolution of that body. Heard that pikes were making, and Watt informed him of this, or rather shewed him one. Watt said, that they were only intended for self-defence, and that none were to get them but those who applied and paid for them. Measures of government might drive them to despair, and cause bloodshed, but Watt said, he hoped there would be none, as the obnoxious or active against the cause of the people would be imprisoned. The soldiers would be glad of freedom, and deputations might be sent them. Watt proposed to shew the arms to the collectors, which the witness objected to as hazardous. In going to the west country, a parcel was left for him by Watt, containing paper for



distribution; which he left at Stirling, St. Ninion's, Kirkintulloch, Glasgow, Paisley, &c.

On his return to Edinburgh, he went to the Committee of Ways and Means; that Watt, Downie, and M'Ewan were there, to whom he reported the result of his journey. Returned the instructions to Watt; they mentioned, he recollected, something about a plan, and Britain being free.—Downie paid him the expences of his journey.

Dr. Forrest, at Stirling, gave an account of Fairley's calling on him, shewing him his written instructions, &c. In these instructions there was a blank, which he supposed was to be filled up "arms." Shewed him the figure of a weapon like a halbert, which was preparing for defence, and that these weapons could be furnished by a person who he understood was about Edinburgh. Something passed about arming the people and disarming the soldiers.

Robert Orrock, smith, first heard arms mentioned in G. Ross's house, in March last. In April, Watt applied to him to make a pike, and he brought one to Ross's, where Watt and other members of the Committee were, and he left it at Watt's desire.—In May, Watt desired him to make more of that pattern, and some of a different kind. While making them, a person (Martin Todd) called and shewed a form of a pike, which he refused to make. Brown also called, and told him he was making pikes for Watt, and that 1000 were wanted; but spoke of this as a secret, which alarmed the witness. The extent of his order was five dozen, which were ordered by Watt, but paid for by Downie. He was told, if enquired

quired about, to say they were for the top of a gate: never had an order for pikes before; but had made one for his own defence, without being employed by any person.

Martin Todd, smith, deposed as to calling on Orrock, to enquire about the pikes.

William Brown, smith, said one Robertson called on him to bespeak several spears of a particular shape, for Watt; and, at another time, he made fourteen spears for Mr. Watt, like mole spears. Recollected the conversation with Orrock, but did not say that such a number of pikes would be wanted.

John Fairley was re-examined, at his own desire. He recollected Watt saying that the banks and public offices were to be seized. The most active against them were to be imprisoned, and couriers sent to the country to announce this. The Magistrates of Edinburgh were particularly spoken of.

Walter Miller, Perth, sent money to Downie, for relief of distressed patriots in the cause of reform; never had authority for supposing that the new Convention had any object but reform by legal means.

Here the evidence of the Crown was closed.

#### WATT'S DEFENCE.

Mr. W. Erskine, junior counsel for the prisoner, said, that as the Court had sat so long, he would not trouble them with many words. He would rest his defence upon the correspondence carried on between the Right Hon. Henry Dundas, the Lord Advocate, and the prisoner, by which it would appear, that he had attended the meetings of the Friends of the People, with no

other view than a design to give information of their proceedings. A letter from the prisoner to Mr. Secretary Dundas was read, which stated in substance, that, as he did not approve of the dangerous principles which then prevailed in Scotland, and was a friend to the constitution of his country, he thought it his duty to communicate to him, as a good subject, what information he could procure of the proceedings of those who styled themselves Friends of the People. From an acquaintance with several of the leading men among them, he flattered himself he had this in his power; and then went on to mention some of the names of those leading men in Perth, Dundee, and Edinburgh. In the first of these places, he said, he had been educated, and had resided in the two last for a considerable number of years. It concluded with enjoining secrecy.

To this letter an answer was returned, which was also read. It acknowledged the receipt of Mr. Watt's, and after expressing a hope that things were not so bad as he had represented, desired him to go on, and he might depend upon his communications being kept perfectly secret. Another letter from Mr. Dundas to Mr. M'Ritche, the prisoner's agent, was next read, in answer to one from Mr. M'Ritche, requesting of Mr. Dundas what letters he had of the prisoner's. The answer bore, that all the letters he had received from Mr. Watt had been delivered to the Lord Advocate.

Mr. Sheriff Clerk authenticated the letter of Mr. Dundas.

The Lord Advocate being sworn, in exculpation, he gave a distinct account of the transactions which he had had with the prisoner. He had

con-

conversed with him several times at his own lodgings; and he had at one time given him some information which he thought of importance. This was respecting the disaffection of some dragoons at Perth, which, upon enquiry, turned out to be ill-founded. In March, 1793, his Lordship said, an offer had been made to him to disclose some important secrets, provided he would give the prisoner 1000*l.* This he absolutely refused.—However, some time after, the prisoner having informed him that he was much pressed for money to retrieve a bill of 30*l.* his Lordship, who was then in London, not wishing he should be distressed for such a small sum, sent him an order for the payment of it. All this happened previous to the meeting of the Convention; since which time, at least since October last, he did not recollect seeing or having any connection with the prisoner.

Mr. Hamilton contended, that the prosecutor had failed in bringing the most criminal part of it home to the prisoner. He dwelt long on the correspondence between Mr. Dundas and Mr. Watt. He said, the prisoner had not deserted the service in which he had engaged; but had not had an opportunity of exercising it until the very time he was apprehended.

He contended, that he was a spy for government: and it was well known that a spy was obliged to assume not only the appearance of those whose secrets he meant to reveal, but even to take part in their proceedings, in order to prevent a discovery. He alluded to spies in armies, and mentioned a melancholy circumstance which happened to one last war, a gentleman with whom he had the honour of being acquainted. A spy in an army, he said, was obliged not only to assume the uniform



uniform of the enemy, but even to appear in arms ; and it would be exceedingly hard indeed, if taken in a conflict, that he should be punished for discharging his duty. He concluded with hoping the Jury would bring in a verdict, finding the charges not proven.

The Lord President, after clearly defining the laws of treason, summed up the evidence, narrating and explaining the various parts with much candour : leaving it entirely to the Jury to return such a verdict as their judgment should direct.

The Jury withdrew about half past five o'clock in the morning, and, in about five minutes, returned with a verdict—*Guilty*.

The trial lasted nearly twenty-two hours.

The Jury were upwards of forty minutes considering the case of Downie—the majority agreeing among themselves that he was guilty, they reconciled themselves to this verdict at last, by unanimously consenting to recommend him to mercy—which they did in a very strong manner.

Shortly after the following awful sentence of the court was passed upon these unfortunate men.

“ Robert Watt and David Downie, you have been found guilty of High Treason by your Peers. The sentence of the Court is, therefore, that you be taken to the place from whence you came, from thence you shall be drawn on a sledge to the place of execution, on Wednesday, the 15th of October, there to hang by your necks till you are both dead ;—your bowels to be taken out, and cast in your faces ; and each of your bodies to be cut in four quarters, to be at the disposal of his Majesty :—and the Lord have mercy on your souls !”

The unfortunate prisoners received the dreadful

ful sentence with much firmness and composure, and were immediately conducted to the castle.

Robert Watt was ordered for execution, but a respite came for David Downie; as soon as it was intimated to Downie, he started as from a dream, and exclaimed---“ *Glory to God, and thanks to the King for his goodness: I will pray for him as long as I live.*” After which tears of gratitude flowed. He was transported for life.

About half past one o'clock on the 15th of October, the two Junior Magistrates, with white rods in their hands, white gloves, &c. the Rev. Principal Baird, and a number of Constables, attended by the Town Officers, and the City Guard lining the streets, walked in procession from the Council Chamber to the east end of Castle-Hill, when a message was sent to the Sheriffs in the Castle, that they were there waiting to receive the prisoner. The prisoner was immediately placed in a hurdle, with his back to the horse, and the executioner, with a large axe in his hand, took his seat opposite to him, at the further end of the hurdle.

The procession then set out from the Castle, the Sheriffs walking in front, with white rods in their hands, white gloves, &c. a number of County Constables surrounding the hurdle, and the military keeping off the crowd. In this manner, they proceeded until they joined the Magistrates, when the military returned to the Castle, and then the procession was conducted in the following order:

The City Constables;  
Town Officers, bare-headed;  
Bailie Lothian and Bailie Dalrymple;  
Rev. Principal Baird;

Mr.

Mr. Sheriff Clerk and Mr. Sheriff Davidson ;  
A number of County Constables ;

THE HURDLE,

Painted black, and drawn by a white horse :  
A number of County Constables.

The city guard lined the streets, to keep off the crowd.

When they had reached the Tolbooth door, the prisoner was taken from the hurdle, and conducted into the prison, where a considerable time was spent in devotional exercise. The prisoner then came out upon the platform, attended by the Magistrates, Sheriffs, Principal Baird, &c. Some time was then spent in prayer and singing psalms ; after which, the prisoner mounted the drop-board, and was launched into eternity.

When the body was taken down, it was stretched upon a table, and the executioner, with two blows of the axe, severed off the head, which was received into a basket, and then held up to the multitude, while the executioner called aloud, " There is the head of a traitor, and so perish all traitors." The body and head were then placed in a coffin, and removed.

Never was any execution conducted with more solemnity and order. The procession advanced with slow step, and the prisoner exhibited a most melancholy spectacle. He held a bible in his hand ; his eyes remained in a fixed posture, upwards, and he was not observed to make one movement, or cast a single glance upon the multitude. He was much emaciated, and his countenance so pale, that, while on his way to the place of execution, he appeared almost lifeless ; but, when he came upon the platform, he seemed

to be somewhat revived, and behaved himself during the awful solemnity, with due resignation and humble fortitude.

The impression the situation had made upon himself, seemed truly astonishing, as those who had ever seen him before, declared they could not have known him to be the same person. His appearance was dirty, muffled up in a great coat; and he shewed signs of peculiar agitation and remorse for the crime for which he was going to suffer.

The surrounding multitude, during the execution of the awful proceeding, did not discover any other emotion than is usual upon occasions of any other executions. The Town Guard, attended by the constables, lined the streets.

He is said to have declared, that it was a fortunate circumstance he was stopped in his career, as his plans might have cost the lives of thousands.

Robert Watt was born in the Shire of Kincardine, and was, at the time of his execution, about thirty-six years old. He was the natural son of a Mr. Barclay, a gentleman of fortune and respectability; but, like other children of illegitimate parentage, he was brought up and educated under the name of his mother. He was, at about ten years of age, sent to Perth, where he received a very good education. Being sixteen, he engaged himself with a lawyer at Perth; but being of a religious disposition, he was disgusted at this profession, and soon withdrew from the desk of his master. Soon after he went to Edinburgh, and engaged as a clerk in a paper warehouse, where he lived happily and respectably for some years. His only complaint was a deficiency of salary.



Having a desire to share in the profits, as well as the toils, of the business, he wrote to his father, and prevailed upon him to assist him with some money, to enable him to procure a partnership with his master. He then made proposals to the above purpose; these were, however, rejected by his employer. Being provided with money, he entered into the wine and spirit trade. His success in business continued very promising, until he was almost ruined by the commencement of the war. At this period, his acquaintance with the Friends of the People commenced.

The prisoner, in his own defence, acknowledged himself a spy; and any man who can descend to *that* character, is certainly capable of every other meanness which interest may prompt—there are few *meanneesses* which will not, in the progress of time, lead to *crimes*, and thus we see how almost every *informer* is as bad as those very persons he *informs* against.

Robert Watt left behind him a full confession, written and subscribed by himself the evening before his execution, in which he solemnly declared, as a dying man, that the plan for an insurrection, rebellion, and revolution, was seriously intended by him and his accomplices, and in great forwardness when he was apprehended.

May this great national example strike deep into the minds of those who inculcate the principles that induced this infatuated man to commit the crimes for which he suffered; and may Britons of every denomination, made sensible of their own happy state, by a comparison with that of other nations, unanimously join in supporting a constitution, under which alone they can expect a continuance of the enjoyment of genuine freedom and security!

*The*

*The remarkable Trial of JOHN KERR and JOHN RUGGLES, for a supposed Capital Offence, wherein the Prosecutor appeared Guilty of Perjury.*

ON the 25th of September came on the following trial, which deserves the more particular attention, because, exclusive of the atrocious conduct of the prosecutor, it proved to be one of the incentives to the late riots in the metropolis: John Kerr, and John Ruggles, having been out upon bail, surrendered themselves in court, standing indicted for a capital offence, in stealing from the person of Edward Barrett, on the 18th of August, at the sign of the White Horse, in Whitcomb-street, a silver watch, a pair of silver buckles, and several articles of wearing apparel.

Mr. Knapp, counsel for the prosecution, called Edward Barrett, who deposed, that he had been discharged from his Majesty's naval hospital at Deal; that, after having been detained by illness on the road, he arrived in town, and was walking over London-bridge, between seven and eight in the evening; that he enquired of an old woman where he could get lodgings; that she took him to a house, but in what part of the town he could not tell, it was a public-house, and the people in it appeared to be naval officers; that he was shewn up stairs into a dark room, the windows of which were barred with iron, and in which he was confined two nights, not being suffered to come out after he was first brought into the house; that he was then put into a coach, and carried to the White Horse in Whitcomb-street; on his entering

the White Horse, he was dragged up stairs by six men into a garret, and knocked down, a rope put round his neck, and the articles stated in the indictment forcibly taken from him; that he was confined in the said house a fortnight, during which time he was frequently beat; that the prisoner Kerr once beat him, and cut his face; that during the whole fortnight he was allowed nothing but bread and small beer; that he is positive the prisoners were two of the six persons who assisted in dragging him up stairs, and robbing him as above; that at the close of his confinement, a man with a wooden arm, who called himself a captain of a West Indiaman, put a paper in his hand, and asked him whether he had rather lose his life or sign a paper, which he found to be an attestation of his having been attested as a soldier; that he was then conveyed to Banbury.

This was the whole of the evidence to support the prosecution, when

Mr. Fielding, counsel for the prisoners, called Mr. Shepperd, one of the clerks belonging to Queen-square, who proved the attestation, and verily believed the prosecutor to be the man so attested.

Mr. Sergeant Kirby, a magistrate at the above office, corroborated Mr. Shepperd's testimony.

Sergeant Watson and Edward Huckenbottom, whose evidence are the same, deposed, that on the 27th of June last, they enlisted the prisoner, Edward Barrett, at the Swan in East Smithfield; that he remained there three days, during which time he was not at all confined; that he (the witness) then took him to the house of Joseph Hambleton, the White-horse, in Whitcomb-street, and  
that

that, at the time he carried him there, he had neither watch nor buckles.

Henry Joel, a Jew cloathsmen, deposed, that he knew the prosecutor Barrett; and that after he was enlisted, he sent for him to the White-Horse, where he bought his (the prosecutor's) jacket, shoes, &c. he then being dressed in his regimentals.

John Copper and John Ritchie, two recruits, deposed, that when at Banbury, they were sworn against by the prosecutor, as being accessaries in the above robbery, for which they were imprisoned seven weeks, but were afterward admitted evidence for the prisoners; and that Barrett, the whole time he was at the White-Horse, was not at all confined, but was continually in a state of intoxication.

Mary Garland, servant to the prisoner Kerr, remembered Barrett being at their house, during which time he had his liberty, and was always drunk.

The Jury expressing themselves perfectly satisfied with the evidence adduced on behalf of the prisoners, Mr. Fielding and Mr. Knowles waved calling any more witnesses, though they informed the court they had fourteen more of great respectability, who could corroborate the testimony given.

Justice Ashhurst was about to sum up the evidence, when the Jury, to prevent his lordship that trouble, requested the foreman to acquaint him, they had long been satisfied, and agreed in their verdict of---*Not Guilty*.

The Judge immediately ordered the prosecutor to be taken into custody, and Messrs. Kerr and Ruggles bound over to prosecute him for perjury.

*The*



*The remarkable and memorable Trial of THOMAS  
HARDY, for High Treason.*

ON Tuesday, October 28th, 1794, at eight o'clock, the Court opened its Session. The Commissioners were Lord Chief Justice Eyre, Chief Baron M'Donald, Mr. Justice Buller, Mr. Baron Hotham, and Mr. Justice Grose.

Proclamation being made, THOMAS HARDY, the prisoner, was brought to the Bar.

The list of Jurors was called over, when a great number of them were disqualified as not being Freeholders of Middlesex, though taken from what is called the Freeholders Book; a few of them pleaded the privilege of age (being above 70) and were excused; and some pleaded infirmities, which were admitted. The number of Jurors, who answered to their names, was 134. Of the qualified persons present, the Counsel for the Crown made a peremptory challenge to five or six, and Mr. Erskine, as Counsel for the Prisoner, made his full challenge of thirty-five. At length the following Jury were sworn:

Thomas Buck, Acton, Foreman,  
Thomas Wood, coal-merchant,  
William Frazer, Queen-square,  
Adam Stainmetz, Biscuit-baker,  
John Connop, Distiller,  
John Mercer, Mealman,  
Thomas Sayer, Bow,  
Richard Carter, Paddington-street,  
Nathaniel Stonard, Starch-maker,  
Joseph Nicol, Farmer,

Joseph

John Charrington, Brewer,  
Joseph Ainsley, St. George's, Coal-merchant.

Chief Justice Eyre informed the Jurors, whose assistance was not wanted for the present, that they might retire, or continue in court, agreeably to their discretion. He said, as they had come forward with alacrity, that it was not the wish of the Court to require a daily attendance, and hoped that when they should be again called upon, though the notice might be short, they would still manifest the same attention which they did on this day.

Proclamation being made for silence, the Clerk of the Court addressed the prisoner in the usual form, and charged the Jury as to the manner in which they should enquire of the guilt or innocence of the prisoner, &c.

Mr. Wood opened the pleadings on the part of the Crown. The first Overt Act stated in the indictment was, That the prisoner, with others, having formed an intention of traitorously breaking the peace and common tranquillity of the kingdom, and to stir up, move, and excite insurrection and rebellion in the kingdom, and war against the King, and in order to carry into effect such intention, did meet and conspire, amongst themselves, and other false traitors to the King, to subvert the Government, and to depose the King.

The second Overt Act was, That these persons did write and compose divers books, pamphlets, letters, and addresses, in writing, recommending Delegates to a Convention.

The third Overt Act charged was, That they  
did

did consult on the means to form a Convention, and on the place where it might be held, &c.

The fourth Overt Act charged was, That they did agree among themselves, and others, to meet, form, and assemble into a Society, for the purposes aforesaid.

The fifth charged, That they caused to be procured to be made, arms to subvert the Government of this Country, and to depose the King.

The sixth charged, That they conspired to raise and to levy war within the Realm.

The seventh, That they conspired to aid the King's enemies, &c.

The eighth, That they did draw and compose certain books, pamphlets, letters, exhortations, and addresses, and did maliciously publish them, for the wicked purposes aforesaid.

The ninth, That they did procure arms for the purpose of levying war against the King, and to excite rebellion, &c.

To which the Defendant had pleaded Not Guilty.

His Majesty's Attorney General, in a speech of nine hours, went into a very full and minute detail of the subject of these prosecutions for High Treason. The limits of our Volume will only permit us to state the leading features of it.

He began with observing, that in the course of stating what he had to mention to them, he must solicit their most serious attention to this great and weighty business, affecting, as it certainly did, the public at large, and also affecting, as they would remember, through every part of it, the prisoner at the bar. He should have frequent occasion to call upon their anxious attention to the different  
parts

parts of that indictment, which had just been opened to them.

He said, the prisoner at the bar was charged, to state the indictment generally, “with the offence of compassing his Majesty’s death.” He was committed on that charge by his Majesty’s Privy Council. In consequence of the apprehending of this prisoner, some others, who were charged in the same indictment, as well as others, whose names were not found there, were taken into custody. Afterwards, an Act passed, empowering his Majesty to detain such persons as he suspected were conspiring his death. That Act had asserted, that a traitorous and detestable conspiracy had been formed, for subverting the existing Laws and Constitution, and for introducing that system of anarchy and confusion, which has so fatally prevailed in France. That Act, on the spur of the emergency, authorized his Majesty to detain, without bail, mainprize, or discharge, those persons that were committed on suspicion, until February 1, 1795. It was to be observed, however, that that measure did not suspend the Habeas Corpus Act, but with regard to particular persons, under particular circumstances. Such a measure had never been adopted by Parliament, but in cases which, after giving all possible attention that the rights of the subject should not be broke in upon, appeared to be of the last possible necessity. That measure had been repeatedly put in force in the best times, and in those cases where the wisdom of Parliament thought it wise that we should part with our liberty for a little, that we might not lose it for ever. He appeared that day before the Gentlemen of the Jury, in the discharge of a duty which seemed to him absolutely necessary.



The proceedings of the Legislature had been such as he had stated to them. His Majesty, in the exercise of his duty, as the great conservator of the public peace, directed an inquiry to be made, whether any such treason, on the presumption of the existence of such a conspiracy, had been committed by any person, and by whom. In the execution of the duties of that commission, a Grand Jury of this country, on their oaths, have declared, that there is ground of charge against the person at the bar, and against others, sufficient to call them to a trial before you, to answer for the charge of High Treason, in compassing his Majesty's death.

He said, he had stated these circumstances, that he might convey to the Jury, in as strong terms as he possibly could express it, that whatever influence the proceedings of Parliament might have, and he was persuaded would have, because they ought to have, in another quarter, yet he was perfectly persuaded that they had no influence whatever on the minds of the Grand Inquest; nor ought those proceedings to affect their (the Jury's) inquiry, or to influence them in the determination they were about to make. They would, therefore, consider the prisoner at the bar as standing before them in full possession of an absolute right to the presumption of innocence, notwithstanding he was charged with that indictment, except so far as that presumption was met by the single, simple fact, that he had been accused by a Grand Jury of his country. The Gentlemen of the Jury would permit him to say, that if any thing had fallen under their observation, tending to influence their judgment, by aspersing the advice given to the

the Grand Jury in the matter of law, they would disregard it, as on the one hand he was perfectly sure that their integrity would be a security to the Public, and that they would not permit any attempt of that sort to operate on their minds in the smallest degree. On the other hand, it was needless to ask an English Jury, that they should not be influenced against a prisoner. In order that the Jury might understand the law of Treason, and the indictment, he begged leave to make some observations.

The power of the State, by which he meant the power of making laws, and enforcing the execution of them when made, resided in the King, acting in the one case, to wit, in his Legislative character, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons, in Parliament, assembled—*assembled according to the law and constitutional custom of England.* In the other case, by executing the laws, when made, in subservience to the law, and by acting in the manner in which the law hath called upon him to act for the good of his subjects. The King was under checks and regulations, and was bound to square his conduct according to the Law of the Land. No law could be made but by the King and the Parliament meeting in its political capacity. No legislative power could be created against the will, or in defiance of the authority of the King. The allegiance of his subjects binds them, in the language of the statutes of this country, to defend his Majesty against all traitorous conspiracies and attempts whatever, which shall be made against his person, his crown, or his dignity. To ascertain to whom his care and protection are due; to ascertain to whom this allegiance is due, the breach of which,

according to the venerable Lord Hale, constituted High Treason ; to ascertain and define accurately what constituted a breach of that allegiance, was essentially and absolutely necessary to the security and preservation of the ancient and undoubted rights of Englishmen. The one of these objects was secured by the Law and Constitution ; by that Law which secured to us every right. It had made the Crown hereditary, though subject to certain limitations by Law. The other object, the Law and Constitution had also ascertained. It had defined those duties which it was incumbent on his Majesty to practise, and in the practice of which duties, the Law had aided him with Councils ; and, in consideration of which duties, it had clothed him with dignity, and vested him with high prerogatives. The moment the title accrued to the King, the same instant our allegiance began ; the breach of which was High Treason. His majesty, at his coronation, took an oath to govern the people of this country according to the statutes in Parliament agreed upon ; to execute the Laws, in justice and mercy ; and to maintain the laws of God and Religion, as established by Law. That coronation oath, as stated by that great and constitutional Judge, Sir Michael Foster, imposed on his Majesty the most sacred obligations—to govern according to the Laws and Statutes in Parliament assembled, according to the laws and customs of the same, and in no other way. In addressing that Court, which was a Court of Law, and in which the Gentlemen of the Jury were sworn to make a true deliverance, according to the Law of England ; he could not express himself too strongly, when he declared it could not be supposed to be possible, that the King could, consistently

sistently with his oath, and with his antecedent duties recognized, either act, or permit himself to act, according to any other rule of Government, framed by any body of men, assuming any character, function, or situation, the statutes agreed on in Parliament, and the laws and customs thereof only excepted. It seemed to be a necessary conclusion, not only that those who conspired to remove him out of the Government altogether, but also that those who conspired that he should not govern by the Laws, made with and by the consent and advice of the two Houses of Parliament, wished and contended to depose him from his royal state, title, power, and government, and to subvert and alter the Legislature, Rule, and Government, happily established in this kingdom. His Majesty ought not so to govern. He could not so govern. He was bound not so to govern. He must resist the attempt, whatever might be the consequences, and that would either occasion his deposition, or endanger his life. The Law and Constitution, as already hinted, have assigned to him various councils; it hath put him under various constitutional checks, and hath provided him with various prerogatives, which were necessary for the support and maintenance of the civil liberties of the kingdom. It hath clothed him with imperial dignity and perfection. In his political capacity, he never ceases to exist. In foreign affairs, he is the representative of his people. He makes war and peace. He raises fleets and armies. He was the fountain of justice; and every where present, by his Judges, to administer it to his people. He was the great conservator of the public peace, and bound to maintain and vindicate it every where. Such were his duties, for the  
secu-



security, protection, and happiness of his people. He hoped it would not be thought he had been mispending their time, by making such observations. These important duties accounted for the just anxiety, bordering on jealousy, with which the Law watched over the person of the King. Lord Hale said, High Treason was an offence more immediately against the person and authority of the King. Mr. Justice Foster had, with great propriety, said, that the crime of High Treason ought to receive the rigour of the law in its fullest extent, in the case of the King; in the case of him, whose life was not to be endangered, because it could not be taken away without involving a nation in blood and confusion. To strike at him, was to strike at the public tranquillity. He wished to put the Jury in mind, that as on the one hand it was absolutely necessary that the person and authority of the King should be defended, and that individuals, who were clearly convicted of the crime of High Treason, should suffer the severity of the law. On the other hand, it was absolutely necessary, for the security of individuals, that the crime of High Treason should not be vague and indefinite, either on account of the Law itself, or from the constructions which may be made of that Law. It was not to be collected from reasoning or inference. It was proper to observe the great anxiety with which the statute of the 25th of Edward III. had guarded against Constructive Treasons, and expressly stated what our ancestors understood to be High Treason, when the provisions of that statute were first introduced into the Code of our Laws. He admitted, that, before that statute was made, upon which the present indictment was founded, it was often difficult to say, what

what offences were or were not High Treason. That statute was, therefore, introduced for guarding the subject. Every State must have some Government: in other words, it must determine by whom the Sovereign Power in a country was to be executed. No Government could exist, unless that power was placed somewhere; and an attempt to subvert the power, is an attempt to subvert the established Government: and it was of necessity, that such an attempt should be proceeded against by severe punishment. The breach of a law, which did not involve the destruction of the state—the violation of one law, which left the laws, in general, which were sufficient for the security and happiness of the people, deserved a milder punishment. Lord Hale said, the greatness of the offence of High Treason, and the enormity of the punishment, was for this reason; because, the peace, safety, and tranquillity of the kingdom, were highly concerned in the safety and preservation of the person, dignity, and authority of the King: and, therefore, the laws of the kingdom, had given all possible security to the King's person and government, under the severest penalties. To describe this great offence with precision and accuracy, was the intention of the Legislature in the time of Edw. III. In addressing a Jury, in a Court of Law, sworn to make a true delivery according to the law, there were two propositions which appeared to him equally clear. 1st. That they ought not to bring those facts under the 25th of Edw. III. which a fair, just, and authorized interpretation of that statute did not warrant. On the other hand, as they were bound by that law, if they were satisfied it had been violated;  
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if the fact of violation was proved by evidence, convincing in its nature, and such in its form as the law in this case required, then they were bound by the laws of their country to defend the person and honour of the Sovereign, and to give that verdict which the statute intended should be given. Men of honour, and of conscience, acting under the sanction of the oath they had taken, must come to the same conclusions, judging of the same facts by the same laws, whatever their principles of government might be, unless they differed on the effect of the facts laid before them. In the trial of a person, whom I shall often have occasion to mention in the course of these proceedings (T. Paine), it was truly, justly, and strongly admitted, by Mr. Erskine, that, if the Jury had been composed of twelve Republicans, wishing to overthrow the Monarchy in their hearts, yet administering the law of England, and if they were convinced the crime had been committed, that the law had been violated, no man would have the audacity to say, that they ought not to have come to this conclusion---to have found the Defendant guilty. The statute upon which the present indictment was founded, stated, and stated truly, that divers opinions had been had before the passing the 25th of Edw. III. about what offences should be deemed High Treason, and what not.

Mr. Attorney General here entered into a very distinct and minute consideration of those cases that constituted High Treason by the 25th of Edw. III. He also considered the exposition of that statute by Sir Matthew Hale and Mr. Justice Foster. He observed the caution which those eminent Judges gave to others, not to let in by construction

tion any Treasons not contained in the Statute. Mr. Attorney General observed, that this gave infinite authenticity to their own exposition of it, inasmuch that it was to be supposed that they, who so anxiously recommended caution to others in the interpretation of the Statute, would observe it themselves. After the Statute had enumerated those offences that were to be held to be High Treason, it did not stop there, but had this clause: "Because other like cases of Treason may happen in time to come, which cannot be thought of, nor declared at present, it is accorded, that if any other case, supposed to be Treason, which is not above specified, doth happen before any Judge, the Judge shall tarry without going to judgment of the Treason, until the cause be shewed and declared before the King and his Parliament, whether it ought to be judged Treason or other felony." Sir Matthew Hale observed, how dangerous it was to make that High Treason which was not so by the Statute. He observed, that that Act was a great security to the subject, as well as a direction to Judges, to prevent them from running out, upon their own opinions, into constructive Treasons, in cases that might seem to them to have a like parity of reason, but reserving them to the decision of Parliament. It was a great security to the public, to the Judges, and even to this sacred Act itself; and left a weighty momento to Judges, to be careful, and not overhasty, in letting in Treasons by construction or interpretation, especially in new cases, that had not been resolved and settled.

Having stated thus much, Sir John Scott declared, that he did most distinctly disavow mak-



ing any charge of constructive Treason; that he did most distinctly disavow stating any like case of Treason, not specified in the Statute; that he did most distinctly disavow every thing not specified in the Statute; that he did distinctly disavow a life of crimes; and the simple question was, whether the prisoner was guilty of that High Treason which was specified in the Statute; and whether the evidence, which was to be brought before the Jury, amounted to that proof which was satisfactory to their minds and consciences, being prepared to admit no proof but what they ought to receive, that the prisoner may be attainted in consequence of an open deed. The indictment charged the prisoner with compassing and imagining the King's death, and by taking steps to effect that purpose. In order to be thoroughly understood, he begged leave to state, there was a settled distinction in the course of judicial practice, settled for no other reason but because there is a manifest distinction between like cases for Treason, or accumulative Treason, and various overt acts of the same Treason. He did not wish then to enter into any discussion of what he took to be the clear and established law of England. He deemed it to be clear, that a conspiracy to depose the King; to imprison him; to get his person into the power of the conspirators; to raise an insurrection; to procure an invasion of the kingdom, &c. are overt acts of Treason in compassing the King's death. So they had been adjudged by Hale and Foster. Overt acts were the measures taken in pursuance of treasonable purposes; which measures might be as various in their kinds, as the ways and means which the human heart could devise to itself for carrying its intentions into execution.

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He said, he was sorry to trouble them so much with general reasoning, but they would afterwards find it had its application. He did not understand what constructive overt acts meant, though he understood what was meant by constructive Treason. Parliaments had acquiesced in the cases stated by Hale and Foster, and execution had been done on them. That there was an intention to compass the King's death, must be proved by such an open fact as must fully satisfy the consciences of a Jury. Conspiring to imprison the King, is an act that might be done without actually intending to put him to death; but, says Foster, the care which the law has taken of the person of the King, is not confined to acts or to attempts, the law has extended it to every thing wilfully and deliberately done, whereby his life may be affected; and therefore entering into measures to imprison him, are overt acts of Treason; for experience has shewn, that between the prison and grave of Kings the distance is very small.

The Attorney General next proceeded to consider the indictment; and again repeated, in strong language, that he did not mean to extend the law of Treason one single iota beyond what he conceived the Statute intended. He considered the charge laid in the indictment, and commented on the different overt acts of Treason enumerated in it.

He said, he should not trouble them with some general observations, before he stated the evidence, in order to enable them to understand the mass of that evidence he should lay before them. The Convention to be assembled, was a convention of persons who were to take the character of the Convention of the People, usurping all civil

and political authority which must endanger the life of the King. If that was made out, they must be guilty of a conspiracy to depose the King. There could not be two Sovereign Powers in a State; and, if there was no Convention of the People, assuming to itself all civil and political authority, one or other must yield. The King and Parliament must be obedient to the Convention, or the Convention to them. If the Convention were obedient to the Parliament, it could not effect its purposes. That, therefore, was an overt act of compassing the King's death. It was a conspiracy to annihilate the existing power; and which, of necessity, led to depose the King. Whether it succeeded or not was immaterial.

There was, he said, another distinction. It was of no consequence whether the first meeting proposed to be assembled was the first Assembly to assume all civil authority, or only devised the means of forming a Constituent Assembly who was to assume it.

He thought the evidence he had to lay before them would abundantly satisfy them, that the meeting they conspired to form was a Convention to alter the whole frame of the Government of the Country; that it was to be a Republican Government, to vest in a body form of universal suffrage and the unalienable imprescriptible rights of man, all the executive and legislative rights of the country. That that was an act of High Treason could not be doubted, as it devolved in it the destruction of the Regal office. He went farther; if it had been intended to retain the name of King, and the person of the present King, creating a new Legislature to act with him, their thus calling on him to act contrary to the laws of the land, would  
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be a conspiracy to depose him from Royal authority. If he refused to accept, he must be deposed; if he did accept, he was not the King of Britain, as, established by law. He could not so govern; he must not so govern. He must resist, and therefore he must be deposed when such a new Constitution was formed. He would, to use the language of Judge Hale, be despoiled of his Kingly Government. He could not be King consistently with his Coronation Oath; and if he resisted, his life must be in danger. That Convention would itself be the Sovereign, and must depose every other sovereign power. That was the character, he believed, of the Convention that would be given in evidence before them.

With regard to the prisoner at the bar, he thought he could satisfy the gentlemen of the Jury that he conspired to assemble such a Convention, and that it was to be Sovereign, Irresistible, Unlimited, and Uncontroulable; and thus it was that a full and fair Representation of the People in Parliament was to be effected. When the Convention, in the year 1688, was in possession of a vacant throne, the moment they bestowed it on King William and Queen Mary, from that instant sovereign power became vested in the King, with the advice and consent of Parliament, incapable of being exercised otherwise but under the limitations and provisions of the Constitution. The moment they became King and Queen, sovereign power became vested in them.

He said, he should not then enter into the evidence, from which it would appear, that various Committees were appointed to devise the means of ultimately and finally deposing the King.

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The indictment had gone farther, and supposing that was not true, it charges the prisoner with a conspiracy; not through the medium of a Convention, but to levy war. A conspiracy to compel the King by force against his will, to give his assent to a law, was an act of Treason to alter the Government and frame of the Constitution: A conspiracy to overawe the King, to force him to give his consent to such a law, was unquestionably an overt act of Treason; to depose him and compass his death.

He said, he thought it necessary to state so much before he came to the circumstances of the case. It was his duty, he conceived, to state the law as applied to the facts that would be given in evidence; and he had stated the law faithfully as he believed it to be.

It might be asked, would any man in his senses believe that such Societies could possibly overturn the Constitution of this country, by alienating the affections of the subjects from their allegiance to their Sovereign? If there were any such persons present, he wished them only to recollect what a few thousand men, who formerly met in St. George's Fields, did. Let them recollect what the Jacobin Club in France did. He said, Britons were as much distinguished by the blessings they enjoyed, as by their situation. *Britannos toto orbe divisos.*

The Jury would observe, that what was charged was not the extent to which the project had proceeded. If the Jury were satisfied that it was intended, and that one single step was taken upon it, it was enough.

In the latter end of the year 1791, the principles

ples of the French Revolution were imported into this country. Those who wished to propagate those principles in this country, addressed themselves principally to the poor and debauched, the ignorant, and those whose education did not enable them to distinguish between truth and misrepresentation; and, after they had been successful in instilling those principles into such people, they admitted them into their Societies. The people in this country, in general, have an attachment to their Constitution; but those persons who wished to create discontent, described the oppression which the people of this country, as they alledged, laboured under, high taxes, &c. They then told them about the unalienable rights of man, and about a full and fair representation of the people in Parliament. The word Parliament was used under Cromwell, during the Commonwealth. They never mentioned the King or Lords but to abuse them.

The Attorney General here observed, that the two principal Societies, to the proceedings of which, during the last two or three years, he wished to direct the attention of the Jury, were the London Corresponding Society, and Society for Constitutional Information. These two societies corresponded together, and also affiliated with a great number of different Societies in the country. Some of these Societies professed one set of principles, and some another.—The prisoner at the bar was Secretary to the London Corresponding Society, and in that character wrote or signed a number of letters that were sent to other Societies. But the signature of Thomas Hardy, to some of these letters, was in the handwriting of John Horne Tooke.

The Attorney General here went into a very full and very able detail of the correspondence of these two Societies, and of the many other Societies in different parts of the country, with whom they corresponded, remarking, that though until of late they concealed their real designs,—under the veil of Parliamentary Reform, yet he would endeavour to prove, that those Societies wished, in fact, to overturn the whole Constitution and Government of this country. This he shewed, among other things, from voting their thanks to Thomas Paine, for certain parts of his works, in which he described himself to be an enemy to hereditary monarchy, and in which he compared the subjects of Kings to cattle and sheep. It was therefore clear, that while they thanked him for these works, and wished to see the doctrines therein contained spread over the globe, it was wishing, in truth, for the destruction of the British Constitution, which they affected to be anxious to purify and reform.

He stated, he could not say for certain, that the Societies in England offered their assistance to the Societies in France, but thus much was certain, that those of France, in many cases, proffered their assistance to those in England. The object they pursued he understood to be the same. A letter from a departmental Society on the Rhone, fully explains what they conceived to be the object of their English friends:—"It expects soon to see their own example followed;" and adds, "doubtless the Court of St. James's will meet the same fate as the infamous Court of Versailles."—"We have hands, we have bayonets and pikes," say they, "to assist the friends of Liberty." These sentiments were received with applause, and  
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heard with complacency, by those men who would deny any intention of using force for the attainment of their purposes. From the tenor and complexion of the whole proceeding, a man might be induced to believe it was the production of Paine or Barlow; men, whose principles must, by this time, be thoroughly understood. If this needed further confirmation, the Address presented by the Societies to the Convention of France would give it. The President there addresses Mr. Frost by the title of “a good Republican;” and they, by their resolutions, have adopted and sanctioned every thing he had done. It is well known, and a matter proved, that at the time of Mr. Frost’s return from Paris, he diffused the doctrine of *No King*. He had now paid the forfeiture inflicted by the laws for his seditious breach of them; and yet, so far from acknowledging the propriety of the decision, the Societies had, by their resolutions, declared that he had merited their esteem, by the persecution and prosecution he had undergone in the cause of Liberty. What was this persecution and prosecution which they complained of? It was that punishment duly inflicted by the law, for a crime which had been fully proved before the known and established tribunal of this kingdom.

As a further evidence of what were the opinions of those men who pretended to wish only a reform without violence, he read a letter from Mr. Frost, dated from Paris, some few days after the catastrophe which took place there on the 10th of August, wherein he expressly says, “The affair of the 10th was what saved the liberty of France: without it liberty had perished.” Gentlemen would recollect, that was the day on which the unfortunate Monarch of that country was deposed,



and the Monarchy totally subverted. It was not themselves alone who had transmitted addresses to France, but by all possible means they endeavoured to excite others to imitate them. It was one grand object with them to procure others to join in addressing and making a common cause with France. His learned friend might object, and he knew he would make the objection, that at the time they were transmitted, we were not at war with them. That was true. Hostilities were not commenced; but in fact, by one of their decrees of a previous date, they had declared themselves at war with every government in Europe. There appeared a letter from Mr. Tooke to the Mayor of Paris, which requires that some person in London might be appointed to receive those subscriptions which they had collected for them in this country; and informs them, that their friends on this side the water were many, and hoped they would be adequate to the completion—of what? Of their common cause. Look into their address, we there find—“That Frenchmen are already free, and Britons are preparing to become so.” Again, “With unconcern, therefore, we behold the Elector of Hanover join his troops to traitors and robbers: but the King of Great Britain will do well to remember, that this country is not Hanover—Should he forget this distinction we will not.”

These circumstances, and the fact of a correspondence abroad, excited a considerable degree of alarm in the minds of many, though it could never be known, until lately, to what extent it had proceeded. The Corresponding Society themselves felt the necessity of some attempt to calm the public mind. They accordingly published, what they called a Declaration of their Principles.

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This, he maintained in fact, was not at all calculated to wipe away any such impression; 10,000 copies were struck off, and were to be distributed amongst their correspondents, and to be stuck up, at midnight, in the various parts of the town. He would here introduce a remark, which was to call the attention of the Jury to the various manœuvres practised, in the distribution of their several libels, so as to render it impossible that the law should be equally extensive as the mischief—They were published without either the name of the author or the printer. They were ushered into the world during the darkness of night; though they were many of them the productions of men well able to bear the face of day. For he must admit, many men of understanding were concerned in their composition. Whether they had exerted their understandings well or ill, was a question which he must not determine. If they could not be conveniently published on this side the Tweed, they were on the other; so that the law could not extend the remedy equal with the grievance. To revert to their justifying declaration, they declare, “They will not prove unworthy of their forefathers, should they be disappointed in their aims.”

He next noticed the Address to the People of Manchester, which was in the hand-writing of Mr. Tooke, and which contained this passage, “Cease to call laws equally open to the rich and poor, and desist from panegyrics upon your rotten constitution. The poor feel no benefit, and they are hostile to the rights of the people,”

He came now to another material part, where they began to combine principle with practice, according to the doctrines of Mr. Paine. After

their declaration of the 6th of August, 1792, wherein they confess they have no hopes from Parliament; after that period they began to strengthen themselves by affiliation with other societies, and developé their plan of a Convention. From various parts of their correspondence with other societies, it appeared the subject of a Convention was frequently canvassed and maturely deliberated. There were three propositions submitted to the judgment of the country societies, viz. Petition to Parliament; Address to the King, and the Plan of a Convention. They state, that they have little hopes from a Petition to Parliament; and the Address to the King was totally excluded. A Convention was the plan that struck them the most forcibly. By a letter from the United Political Society at Norwich, it appears, that they approved of the Convention, but they doubted whether the people were yet ripe for it. "The democracy (they say) is become mere matter of privilege and property, and the Convention would be the most desirable thing and practicable; but they doubt the people have not yet sufficient courage for that measure."

At a Meeting of the 18th of January, 1793, would be found the following resolutions:

"Resolved, That Citizen St. Andre, a Member of the National Convention of France, being considered by us as one of the most enlightened friends of human liberty, be admitted an associated honorary Member of this Society.

"Resolved, That Citizen Barrere, a Member of the National Convention of France, being considered by us as one of the most enlightened friends of human liberty, be admitted an associated honorary Member of this Society.

"Resolved



“ Resolved also, That Citizen Roland, being considered by us as one of the most enlightened friends to human liberty, be admitted an associated honorary Member of this Society.”

It was also resolved, that the speech of Barrere, concerning the functions and powers of a Convention, should be entered into their books.

The Attorney General here recited the arguments used by Barrere, and urged, by the Corresponding Societies having adopted them, they were evidence of what their opinions and intentions were. “ A Convention was stated to be superior to a legislative power, because it was derived from the people, from whom all power emanated. It concentrated in itself all the powers of Government, and was the people acting by their Representatives. It was upon the question of the inviolability of the King, where he asserted the people, by their insurrection, had repealed that inviolability, inasmuch as it amounted to a revocation of their tacit consent; and the inviolability of the King could only be as against the other branches of the legislature, and not against the sovereignty of the people.”

He thanked God, he said, that they had seen an insurrection in this country; otherwise, instead of hearing him relate those doctrines in a Court of Justice, they might, perhaps, have heard them in the British Convention as principles to be acted upon. By the Constitution of this Country, the King was inviolable, but this inviolability was not to be incompatible with private happiness or security, because he could never do any thing without advisers, and those advisers were not inviolable. The fair result and consequence of the reasonings brought forward by them, strongly  
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went to prove their object to be the subverting the Government of the country. A Convention was not to prepare a petition for Parliament, because, on their grounds, the Parliament was a body constituted in such a manner as not to be able to grant what they desired. All their reasoning went to shew, that a Convention of the people was the only legal and proper mode of redressing grievances ; and, in all their proceedings, we trace the design of establishing a Convention, and endeavouring to call that a Convention of the People.

He came now to another material part of the correspondence, which went to shew the connection between the Societies here and the Convention in Scotland. Delegates were appointed to attend there, and a correspondence ensued between several Societies in the country, and the Corresponding Society in London. On the 28th of June, 1793, a letter was received from Norwich, and an answer was transmitted by the prisoner, signed with his name, where he “ advises them to be orderly, and well prepared for the event ; that the Mercenaries were now landed, and they ought not to wait until their throats were cut.” This alluded to the landing of the Hessians, who at that time were disembarked on the coast of England ; and that, which was but a matter of humanity and hospitality to men who were in fact dying, without the possible means of breathing fresh air on board the transports, was by this man converted into an object of alarm, and wished to be represented as a thing of dangerous import. But the matter did not rest here ; and he desired the particular attention of the Jury to what followed :—“ We will not shew ourselves mob or rabble,

rabble, but an injured and oppressed people, in whom the value of our forefathers is not totally extinct."

He next proceeded to state the measure adopted to the formation of the British Convention, which lately sat at Edinburgh; the general completion of which he stated to be as already described. They called themselves the Convention of the People, and if those persons who had been tried for misdemeanor only, had been treated as traitors, he thought the law would have warranted it. They had proceeded to resolutions destructive of all Government; either they were subordinate to Government, or Government to them; but the whole of their reasoning attempted to prove the latter, and their resolutions went to put it into practice.

But before he proceeded to notice their proceedings in this Convention, he would notice the instructions given to the Delegates from the two Societies in London; the Corresponding Society, and that for Constitutional Information. The latter had directed their Delegates to support the cause of Reform, by all constitutional means; what those means were had already appeared; and if it was evident the mode they pursued was illegal and unconstitutional, it little availed that they used the word constitutional as a veil to their real purposes. The other Society had been more explicit in its directions, and directed its Delegates to adhere to the two points of universal Suffrage and annual Parliaments. One of the first resolutions which passed in the Convention, was, to resist the Parliament, should it proceed to such and such certain acts. Viewing the late bill passed in Ireland for the prevention of Conventions having illegal objects, they resolved, "That a Committee

tee of Observation be appointed in London, to give the earliest information of the kind mentioned in the former section. And what was the information required? Why, immediately that the Legislature should proceed to certain acts, that they would take measures to oppose them. If, for instance, they should proceed to a Convention Bill, which Citizen Gerald had called “A parchment piece of justice,” or to any thing which they conceived was wrong there, that they act in opposition. For this purpose the whole system of modern French polity was introduced. They divided into sections, formed committees, and, amongst others, a Committee of Secrecy and Cooperation; the object of which was, to rally the Convention, should they be what they term—“illegally dispersed.”—It is already well known what steps the Magistracy of that country took, and what was the result of their efforts.

We had now to return, and view the same plan, or part of the same plan, in England.

At a Meeting on the 17th of January, the following Resolutions were entered into:

“Resolved, That law ceases to be an object of obedience, whenever it becomes an instrument of oppression.

“Resolved, That we call to mind, with the deepest satisfaction, the merited fate of the infamous Jefferies, once Lord Chief Justice in England, who, at the æra of the glorious Revolution, for the many iniquitous sentences which he had passed, was torn in pieces by a brave and injured people.

“Resolved, that those who imitate his example deserve his fate.”

This Resolution, the Jury would immediately perceive,

perceive, was meant to be directed to the Scotch Judges, and this would be further confirmed by the following :

“ Resolved, That the Tweed, though it may divide countries, ought not, nor does not, make a separation between those principles of common severity in which Englishmen and Scotchmen are equally interested. That injustice in Scotland is injustice in England ; and that the safety of England is endangered, whenever their brethren in Scotland, for a conduct which entitles them to the approbation of all wise, and the support of all brave men, are sentenced to Botany Bay—a punishment inflicted hitherto only on felons.

“ Resolved, That we see with regret, but we see without fear, that the period is fast approaching, when the liberties of Britons must depend, not upon reason, to which they have long appealed, nor on their powers of expressing it, but on their firm and undaunted resolution to oppose Tyranny by the same means by which it is exercised.”

After this, on the 20th of January 1794, there was a General Meeting at the Globe Tavern, in which they resolved to send forth an Address. The Address was accordingly framed, in which they state themselves to be associated for the purpose of obtaining a full, free, and perfect representation of the people. How is this object to be obtained ? They say, “ this is a question we have asked before ; and to us a National Convention seems the only adequate remedy—we shall never obtain it,” (and thus they go on to characterize the Legislature of the country) “ from our enemies, plunderers, and oppressors.” Their toasts after dinner were still stronger evidence of



their opinions. It was almost sinking into insignificance, to mention such a thing as a toast; in a great national question like the present, but in fact, they had a Committee to frame such toasts as they judged most expedient to inflame the minds of those present. Citizen Martin was in the chair at this meeting, and in a letter, under his hand, he gives an account of it: He says, their resolutions were tolerably strong; and a paragraph informs his correspondent, that the King had gone to meet *his* Parliament. He next noticed the meeting at Chalk Farm, and observed it was in consequence of the plan of the Committee of Correspondence and Co-operation, and a gradation in their plan of assembling a Convention. It was singular, that on the same day there were several other meetings in the open air at several other parts of the kingdom; and it would be found that the prisoner at the bar had sent circular letters to the remotest parts of the kingdom containing the project of a Convention. It was also worthy of remark, that when it was signified that the Friends of the People would not join in the plan of a Convention, it was received by a very large audience with an universal groan. An account of this meeting was also found in a letter of a very active Member, Mr. Thelwall, who avowedly styles himself a Republican and active Sans Culotte.

If, in addition to these cases, the Jury should find that arms had been prepared, and military societies formed; that the guillotine was talked of as an instrument to be introduced; and that the head of our King was to fall by it: that after the meeting at Chalk Farm, Mr. Thelwall cut off the froth from a pot of porter, with these words, "Thus would I serve all Kings:"—then surely they

they would give that verdict which was due to their country and themselves. If, on the contrary, this case, after an attempt to prove it, should not be so made out as to convince them, then he would join in the prayer of the law, "God send the prisoner a safe deliverance."

The first witness, Thomas M'Lean, said he was a King's Messenger, and had seized several books and papers at Adams's, which he kept in his possession till he marked them—Proved a letter of Hardy's, of 27th March, 1794, which was read.

John Gurly and Alexander Grant were then called—one to prove the seizure of Hardy's papers, the other Hardy's hand writing---when,

Mr. Bowes, Counsel for the Crown, said, that he would now go chronologically through the papers and other written evidences.

Mr. Erskine stated to the Court the importance which it was to his Client to have the whole of the written evidence on the part of the Crown for consideration; he therefore submitted to the Court, that the Counsel for the prisoner should be allowed to take copies of the written evidence, otherwise they must request to have it read sufficiently slow for them to take it down.

The Court assented to their having the copies.

Edward Lauzun sworn, examined by Mr. Bowes, said, he was a King's Messenger; he went to the house of the prisoner on the 12th of May, and seized the several papers which follow. Mr. Grant was shewn one of the papers, which he believed to be the prisoner's writing; it is a copy of a letter to Mr. Buchanan, at Edinburgh, dated August 20, 1792. The letter was read; it was signed "Thomas Hardy, Secretary."

William Woodfall sworn, said he knew Mr. H. Tooke's hand writing. A paper was shewn him; he said he did not think the main part of it was in Mr. Tooke's writing; but there were interlineations of that gentleman's writing. The paper was the original plan of the London Corresponding Society.

Mr. M'Leane, a King's Messenger, was shewn a paper, which he said he found in the house of Mr. D. Adams.

Mr. Grant said the signature was, he believed, Mr. Hardy's writing. It was dated the 18th of October, 1792, and directed to D. Adams, Secretary to the Society for Constitutional Information. It contained the plan of an address of the London Corresponding Society to the French Convention.

Several letters were now read.

Mr. Grant being examined, said he was a printer. He became a member of the London Corresponding Society in the beginning of the year 1792. The meetings of the division to which he belonged, used to be at Mr. Boyd's in Exeter-street. The following persons used to attend the meetings of that division: Mr. Margarot, Mr. Hardy, Mr. Richter, Mr. Murray, Mr. Boyd, &c. He was applied to about the middle of that year, by a Mr. Gow, a member of the Society, to print some bills, which he refused to do; but afterwards he did print some bills for them. The prisoner Hardy paid him for 500 posting bills which had been ordered by the Society, and sent home to Mr. Hardy's house; they were afterwards returned to his house, and delivered from thence, he believes, to a person of the name of Carter.

The prisoner afterwards told him that Carter

was

was taken up for sticking up those bills in the streets.

[One of those bills were shewn to the witness, which, he said, was one of those he had printed.]

He had afterwards an order to print some more bills, which he refused to do. He had declined attending the Society for some time previous to this.

Mr. Margarot was President of the Delegates, and the prisoner Hardy was Secretary to the Corresponding Society at large.

Several papers found in the prisoner's house were now read.

On the next day, the first witness produced was John Gurnel, who, on being shewn a letter signed "Thomas Hardy," said he believed it was the hand writing of the prisoner at the bar.

This letter was read.

The next letter that was read was from Mr. Wm. Skirving, in Scotland, to Mr. Hardy, in which he insists on the necessity of Universal Suffrage, and Annual Parliaments. And that two persons should be sent from each of the Societies in England, as Delegates to the Convention that was to be held in Scotland.

Mr. Scott, of the Sheriff's Office, at Edinburgh, proved, that another letter, signed "Hardy," was found among Skirving's papers, when they were seized at Edinburgh. A printer, of the name of Grant, proved the signature to this letter to be in the hand writing of T. Hardy. This letter was directed by him to Skirving, in Scotland, in answer to the letter he had received from him, in which he informed him that he had requested a general meeting of the London Corresponding Society, for the purpose of taking into  
consider-



consideration the measure stated in Skirving's letter; that the Society had actually met, and had elected Maurice Margarot and Joseph Gerald as Delegates to be sent to the Convention to be held at Edinburgh.

The next letter that was read was dated London, 24th of October, 1793, sent by Hardy to Skirving, in which he informs him, that the London Corresponding Society had given their Delegates, Margarot and Gerald, instructions how to conduct themselves in their mission, and that they should, upon no account, depart from the original object and principles of the Society. They were directed, among other things, to support the obtaining of Annual Parliaments and Universal Suffrage, by natural and lawful means. They were directed to support the opinion that the election of Sheriffs ought to be restored to the people: that Juries ought to be chosen by ballot: that it was the duty of the people to resist any Act of Parliament which was clearly repugnant to any principle of the Constitution. And the Society required that its Delegates should be punctual in its correspondence with them.

This letter was signed "R. Hodgson, Chairman." "T. Hardy, Secretary."

Another letter that was read in evidence, was dated "Edinburgh, Tuesday, Dec. 2, 1793."

This letter was sent to Thomas Hardy, by Messrs. Gerald and Margarot, while they, in the character of Delegates from the London Corresponding Societies, were attending the Convention then sitting at Edinburgh.

In this letter they inform Mr. Hardy, that the Convention proceed with great spirit. Say they, "We sit daily, and last week we came to a resolution,

lution, which we fancy will give pleasure to every Friend of Reform. As the Minutes are to be printed, we will at present only give you the heads of it, viz. that should any attempt be made by Government for the suspension of the Habeas Corpus Bill, the introduction of a Convention Bill, or the landing of Foreign troops in Great Britain or Ireland, the Delegates are immediately to assemble in Convention, at a certain place, the appointment of which is left with a Secret Committee. That when seven Delegates shall be thus assembled; they shall declare themselves permanent; and when their numbers amount to twenty-one, they shall proceed to business. Thus, you see, we are providing against what may happen.

“ Our time is so constantly employed, that we find it absolutely impossible, as yet, to write to you more than once a week, and even that on no fixed days. Eighteen hours out of the four-and-twenty are devoted to public business, and you may rest assured they are not mispent. We are happy to hear that you go on as well in the South as we do in the North. Letters convey but very imperfectly, and with no great degree of safety, what we might wish to inform each other of. You have done us a material injury by neglecting to send us a parcel of our Publications, and a number of copies of the Juryman’s Right. Pray do not delay them any longer, and among them some of the letters to Dundas.”

Another Letter from Margarot to T. Hardy, dated Edinburgh, 8th Dec. 1793, was also read in evidence. He says, “ The Society will be able to discover, that our arrival in Scotland has been productive of great advantage to the cause, and at the same time has given great alarm to our enemies.

enemies. We are very much surprized at the remissness of the Society ; while we are exposing our Life and Liberty ; while we are devoting our time and our exertions to their service ; while we are incurring numberless expences, and affronting dangers that would stagger the most hardy of them ; while we are doing all this, we are moreover obliged to remind them of it, and that supplies are now become more necessary than ever. Surely the pecuniary exertions of any individual in the Society, can never be compared to our endeavours. Honoured with their confidence, we find ourselves happy in being placed in the front of the battle ; but let them remember, that our sacrificing ourselves will be of little use, unless they afford us a proper support, and that most immediately. Not daring any longer to trust to the post, we send you all these papers in a parcel. You will be so good as to make us acquainted with their safe arrival. Gerald wishes to get to London as soon as possible. He will communicate that which cannot be so fully expressed by letter. You may consider this as a private letter, but you may read such parts of it as you think proper to any Member of the Society, especially where it may be productive of good. You will see by the enclosed papers, that Power has proceeded in a most arbitrary manner ; almost all the prominent characters in the Convention have been or are to be apprehended or examined," &c.

Mr. Bower, on the part of the prosecution, stated, that they next proposed to read the proceedings of the Scottish Convention.

Mr. Erskine, as Counsel for the prisoner, said, he was not very anxious to shut out any evidence ;  
but

but he could not conceive, as the case then stood, how the proceedings of the Scottish Convention could be evidence against Mr. Hardy. They had already heard the history of that Society, of which Mr. Hardy was Secretary, and it would be for the Jury afterwards to say with what intention and with what views, that Society was formed. That Society appointed two Delegates to attend that Convention. The holding of that Convention, was not charged as an act imputed by the indictment. But the prisoner was charged with conspiring, with others, to form another Convention, long after the Scottish Convention was dispersed. If it should turn out, that the Delegates from the London Corresponding Society, in a moment of heat, had written any thing, or said any thing; nay, he said he would go farther, if Mr. Margarot, or Mr. Gerald, had said or done any thing, not within the scope of their instructions, he apprehended that could not affect the prisoner at the bar. The defendant was charged with compassing and imagining the death of our Sovereign Lord the King. It was that wicked intention that was the foundation of the whole proceedings; and no act could be given in evidence which did not shew the prisoner at the bar had that wicked compassing. He did not know what they were going to read. It might not at all affect the prisoner. But standing there, not only defending the life of an innocent man, for so he had a right to call him until he was found guilty, defending his own life, and the lives of all the people of England. If they could connect Mr. Hardy with the proceedings of the Scottish Convention, his objection fell to the ground.



Chief Justice Eyre said, he took it for granted, that they meant to do that, otherwise the proceedings of the Scottish Convention were of no sort of consequence. There was enough, in his Lordship's opinion, to let in the evidence. The application of it was quite another consideration.

Mr. Solicitor General observed, that these two persons, Gerald and Margarot, were the agents of Hardy, and the rest of the Society, and the evidence appeared to him to be extremely important.

The Clerk of the Arraignment accordingly read the proceedings of the Scottish Convention.

James Davidson was here called, and examined by Mr. Garrow. He said he was a printer. A paper was put into his hand. After he had looked at it, he said he had printed a great number of copies of it, the manuscript was brought to him by John Thelwall. One person was along with him when he brought it, but he did not recollect who it was. He further said, that Thelwall had ordered him to print 200 copies of that paper, and then to stop. He accordingly printed 200 copies of it that day, and carried them to the Globe Tavern. He met Mr. Hardy on the stairs; he knew him before that time. He, the witness, was a Member of the Society, was sometimes at their meetings, and had seen Hardy there in the character of Secretary.---When he met him on the stairs, he told him he had brought 200 copies of the Resolutions. Hardy told him to take them away again, and not to distribute one of them. He accordingly did, and returned to the Globe Tavern to dinner. He was not present when those resolutions were voted. Some persons from the Globe Tavern sent to his house for them, and brought them to the meeting. He only saw one  
of

of them handed about there. In the course of a week he printed 3000 of them, according to Thelwall's orders. He carried a great many of them to Mr. Hardy, and some of the members of the Corresponding Society came to his house, and asked for a dozen or two. To the best of his recollection he printed 6000. Hardy gave him orders to go on with them till he should be desired to stop; which he believed was in the month of March. Until that time he went on printing them, now and then, and printed in all about 8000. He had not been paid for them. Nobody had promised to pay him for them. He put them down to the credit of the Society; he had made the Society debtor for them. He had printed others for the Society before, and had been paid for those by Hardy.

The paper was here read, and, among a great variety of other things, contained a number of resolutions, and of toasts and sentiments, in which John Martin was supposed to be concerned. The witness said he had been at Martin's house, but that he did not know him much. He had also seen him at some of the meetings of the Society, but did not know whether he was a member or not; he could not tell whether any persons were admitted who were not members. He afterwards acknowledged, that persons were sometimes admitted, though they were not members. The reason why he had called at Martin's house was, to speak to him about the toasts and sentiments in the paper alluded to. The witness told Martin, that he thought there were some hard words in the resolutions. Martin said, No; it was all constitutional.

Another letter was also read ; it was dated March 27th, 1794, and signed " Hardy."

Richard Williams was next called as a witness, he said he knew John Thelwall, and on looking at the signature on a written paper, he believed it to be Thelwall's hand-writing.

Mr. Garrow stated to the Court the grounds upon which he proposed to make it evidence against Hardy. He said it contained several addresses and seditious songs, composed and sung by Mr. Thelwall, in order to bring all the Constituted Authorities in the country into contempt. In this view he considered it as a step in the conspiracy, and, if so, he submitted it was clearly evidence against Hardy.

Mr. Erskine said, his learned Friend could not shew that these songs had been sung by Mr. Thelwall, and what Thelwall did was one thing, and what he said had been done was quite another thing.

Mr. Gibbs, Counsel for the Prisoner, said he had no objection to the evidence, but that he did not know where it was to end. That evidence was produced against the Prisoner to prove the compassing and imagining the death of the King. There was no proof that Mr. Hardy was aware of that letter. He was at a loss to guess to what point of the indictment it was directed.

There were three questions : 1st, Whether the Prisoner compassed or imagined the King's death ? 2dly, Whether he compassed it by any of the overt acts stated in the indictment ? And 3dly, Whether, supposing he had committed any of the overt acts, they were done with a view to compass the King's death ? If that paper was evidence, it  
must

must apply to one of those three questions; and he was at a loss to apply it to any of them.

Chief Justice Eyre had great doubt whether that evidence ought to be admitted. He admitted, that, where several persons were involved in one conspiracy, the act of any one of them, in order to effect that conspiracy, may be imputed to them all. But Thelwall, in this case, only wrote to a friend, who was not a member of the Society, and therefore, his Lordship thought, the latter could only be considered as Thelwall's declaration, and ought not to be considered as evidence in this case. It was not like a fact done by Thelwall, which was a part of the transaction itself.

Mr. Justice Buller said, there were two things to be considered---1st, Whether there was any conspiracy, and what? and, 2dly, What part the Prisoner took in it? His Lordship was of opinion, that it ought to be admitted as evidence, in considering what the design was. The question was not upon the effect of the evidence, but whether it was admissible.

Mr. Justice Grose was doubtful whether it ought to be rejected. Both of these parties were concerned in one plan; it was very material what one of them said respecting that plan.

The Chief Baron considered this as only a relation of what passed to another in a private letter; and therefore his Lordship said he was inclined to reject it.

Baron Hotham did not think that letter was fit evidence to be received here.

Chief Justice Eyre said, after all he had heard, he still retained his opinion. The letter was therefore rejected.

William Walker was next called. He said he  
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was an attorney, and that he knew John Martin and his hand writing. A letter was put into his hand, signed "John Martin," and the witness believed it was Martin's hand writing. That was dated June 22, 1794, and was addressed to Maurice Margarot, then in the Tolbooth of Edinburgh.

Mr. Erskine objected to the reading of this letter as evidence against Mr. Hardy. Suppose a man was a member of a society, if the acts of any one man in that society were to be imputed to every member, no man would ever think of going into any society. In that letter Martin was supposed to speak contemptuously of the King. *Non constat* that that letter was ever delivered to Margarot. He contended it had never been out of the hands of Martin. But suppose such a letter had been written to him, Mr. Erskine, and that it had been found in his custody, he might have expressed his resentment at it, though he could not prove that circumstance. A man could not prevent another from writing to him. They were then far advanced in the second day on that trial. When he considered the magnitude of it, he did not know how to express himself. There was no instance, he contended, in the history of the law of this country, where, in a trial for High Treason, they were ever obliged to have recourse to the expedient they had used last night with regard to the gentlemen of the Jury. If that letter was to be read in evidence, Mr. Martin ought to have an opportunity to explain it. He objected to that letter being read.

Mr. Gibbs said, it seemed to him, that this was an attempt to bring before their Lordships the same question again. The last letter was rejected, because

because it contained a relation of facts, by the writer, of which the prisoner was not cognizant. This letter the learned Counsel contended, came within the spirit of the case decided on the last argument. He submitted, that to make that letter evidence, would be contrary to all law, and he was certain it was contrary to all justice. The object of that indictment was to try the mind of Hardy.

Mr. Solicitor General, Mr. Serjeant Adair, Mr. Bearcroft, Mr. Bowyer, and Mr. Law, spoke very ably on the part of the prosecution, and endeavoured to shew that it ought to be received in evidence.

Chief Justice Eyre was of opinion, that it came under the spirit of the last case, and that it ought not to be received in evidence.

The other Judges were of a different opinion, and thought it was evidence. It was accordingly read.

It stated, among other things, "that Margarot's conduct received universal approbation. People are now subscribing. They put their hands into the bottom of their pockets, and swear by G---d, you. (Margarot) shall be supported by the last guinea.---The King came down to his parliament. They sat till six o'clock; only 12 members voted against the war. It was even reported, that a woman being moved and seduced by the inspiration of the devil, in St. James's Park, took off one of her pattens, which she threw at the King's carriage, and whereby she broke the glass and alarmed his Majesty. God save the King; for if, as Gerald says, &c."

Several letters were read, from different parts of the country, to the Corresponding Society.

Mr.

Mr. Bower confessed the books, now produced, were the same that were used for entering the proceedings of the Constitutional Society; and that they contained minutes of the business transacted in their meetings.

The Court then proceeded to read extracts from the minutes of their proceeding.

Mr. Jordan deposed, that he did not know the hand writing of Thomas Paine, though he had seen what he believed to be his writing. He was the publisher of his Rights of Man, which Chapman printed. Chapman printed the first part of the Rights of Man, and the first part of the second.

At a meeting on the 25th of September, 1792, of the Society for Constitutional Information, read a letter from T. Hardy, as Secretary to the London Corresponding Society.

It spoke their hearty abhorrence of a connection with German despots, and hoped the names of Freemen would be sufficient to counteract their designs.

To this letter an answer of thanks was returned.

Here the Judge addressed the Jury---As he could not flatter them that a short period would enable them to go through any one description of evidence, he advised them to withdraw for refreshment.

At half past four o'clock the Jury returned, and the Court being resumed.

Lauzen, the Messenger, was called in to prove the finding the first edition of Paine's Book in the house of Hardy.

Then was read the Address of Paine to the Convention of France upon his being elected a Member

ber of the Convention, and ordered to be distributed by the London Corresponding Society.

It spoke of the purity between the situations of America and France, and the work that was before them, the unconfined operation of liberty, and the impolicy of despots. It exhorted them to punish their enemies by instruction rather than revenge.

Thomas Chapman deposed that he had printed the whole First, and the former part of the Second Part of the Rights of Man, as far as signature K, page 128 included. He did not finish the book, but returned the rest to Paine.

The Clerk of the Arraighs then read several long extracts from the Rights of Man. The tenor of them went to prove the design of the author to make the English Constitution odious and ridiculous.

Further proceedings at the Crown and Anchor were then read, on the 28th of September, and 5th of October, 1792: Also a letter from the Constitutional Whigs and Independents---and the thanks were voted: Likewise Joel Barlow's letter to the Convention of France, transmitted to the Society---it represented the defects of the Constitution of 1791---The thanks of the Society, for the communication, were voted at the next meeting, on the 12th of October.

Joseph Johnson deposed that he published this pamphlet, the sale of which paid the charges; he did not know the author or authors; upon being asked if the sale was extensive, the Chief Baron desired the witness might not be pressed upon this subject.

Lauzen proved the seizing Barlow's letter at the house of the prisoner. This letter was trans-



mitted to the Corresponding Society, together with a copy of the same writer's letter to the Convention.

Mr. Johnson was here asked, if Mr. Barlow was the author of "Advice to the Privileged Order?" He said he published it for Barlow, and sold about 1000. (Extracts read from it.)

Several interrogatories then ensued.

William Huskisson, of Pall Mall, who had sometime resided in France, as Secretary to Lord Gower, was called upon to substantiate an Address from a Society in France. Mr. Huskisson corrected several errors in the English translation of the Address.

Mr. William Woodfall deposed, that the paper shewn him was the hand writing of Mr. Horne Tooke, whom he had seen write several times.

Mr. James Thornton, on being shewn four manuscripts, deposed, that they were the hand writing of Mr. Horne Tooke.

Mr. Thomas affirmed, that the two papers now presented, were among those seized in the house of Mr. Horne Tooke.

An extract was then read from the proceedings at the Crown and Anchor, on the 18th of January, 1793, Lord Semple in the Chair, when there were present,

Count Zenobio,	Mr. J. Williams,
Mr. Chapman,	Mr. Balmain, and
Mr. Reider,	others,

It was resolved, "That Citizen St. André should be admitted an Associated Honorary Member of this Society; and that the same should be published in the newspapers." Ordered.

At another Meeting, 25th January, 1793, it was resolved, "That Citizen Barrere should be admit-

admitted an Associated Honorary Member of this Society ; and that the same should be published in the newspapers."

A resolution was also made to the following effect :—" That the people of this country (meaning Great Britain) are averse to a war with France."

In an extract from a letter written by Mr. Horne Tooke to Petion, Mayor of Paris, Mr. Tooke offers the donation of 4000 livres to enable the French to defend themselves against all Tyrants, with assurances that he would give them every assistance in his power in the cause of Liberty—even against his own countrymen !

The French paper, called the *Moniteur*, was then produced, recording these facts ; containing also the congratulatory speeches of St. André and Barrere on this subject.

Mr. Huskisson when called upon to swear to particular papers first produced, declined.

Mr. De Boffe deposed, that he was a bookseller in Gerard-street, Soho ; that he sold French newspapers ; that he believed the papers now shewn him were the French *Moniteurs*, as genuinely printed in Paris ; that he had dealt extensively in the newspaper, called the *Moniteur* ; that they had, at the time alluded to, been regularly sent from Paris to Calais ; then to Messrs. Minet and Fector, Dover ; and that all those which he had received, had been constantly examined by the Custom-house officers ! [The emphasis with which Mr. De Boffe delivered himself in the concluding part of his deposition, produced a loud laugh.]

A letter was read, which the Constitutional Society transmitted by Mr. Rowan to Simon Butler and Oliver Bond, to congratulate them on the

resistance they made to the Aristocracy of Ireland.

At a meeting of the 12th of April, 1793, Mr. Frost read a letter, which he was directed to prepare, in answer to one from the United Societies of Norwich, which was given in evidence.

A resolution of the Constitutional Society of October 28, was read, to send Delegates to the Convention at Edinburgh, and their choice of Mr. York and Mr. Sinclair to that office, together with the original instructions. There were two minutes of these instructions; the first, that the Delegates should assist in forwarding any petition to the House of Commons, to enquire into the state of the said House, and require a Reform of Parliament. It was afterwards altered to instructions, that they should assist generally in any constitutional mode of procuring a reform. That they also demand annual parliaments, general suffrage, and the right of the people to frequent reforms, &c. &c.

Mr. Adams, their Secretary, proved these instructions.

It turned out, that they allowed the Delegates seven guineas for travelling, and three guineas a week during their continuance in that office.

Resolutions of the 17th of January, 1794, were read: "The law ceases to be an object of obedience as soon as it becomes an instrument of oppression," &c.

In a sitting of the 24th of January, they resolved that the excellent Address of the London Corresponding Society should be inserted in their books, and the King's Speech to his Parliament should be printed under it, and that 40,000 copies of them should be printed on one sheet of paper.

On

On the 11th of April, in conference with some Members of the London Corresponding Society, it was resolved, that it was necessary to hold a Congress of Delegates from the people, for forwarding which they passed some regulations.

He then went on to read their subsequent proceedings. their consolatory address to Skirving, Muir, and Palmer, and the very eloquent answers returned by those gentlemen.

Two papers found in the possession of Mr. Hardy were also produced.

The first paper related to a meeting of the different divisions of the London Corresponding Society, held on the 30th of April, 1792, for the purpose of appointing a Standing Committee of Delegates, to draw up the *formula* of a constitutional code of laws for the government of the Society.—Of this Committee, it appeared that Mr. Margarot, Mr. Vaughan, Mr. Richter, Mr. Martin, Mr. Baxter, &c. were appointed members. The other paper was of little consequence.

Lauzun proved a paper found in Hardy's custody. This was a report from the Committee of Constitution ; in which were stated the sentiments of the Committee with respect to the state of the Representation of the People, and several grievances detailed, which appeared to them to take their rise from unequal representation, and the want of annual parliaments. The doctrine of the equality of mankind was defended ; a declaration made that no majority, however large, ought to deprive the minority of any part of their rights, and that if such should ever be the case, the minority had then a perfect right to resist. Magistrates were declared to be responsible for their conduct. The defects in our representation were asserted to be



be the only cause of a great variety of grievances, under which, they said, they laboured, which deprived us of the benefit of good government. Among those grievances were stated to be the Corn Act, the Game and Excise Laws, the Stamp Duties, the encouragement of Spies and Informers, the Mutiny Act, and the Impress Service.

Mr. Bower produced two copies of the Address to the Addressers, by T. Paine, and called Mrs. Rickman, the wife of T. Clio Rickman, a bookseller, who deposed, that these pamphlets were printed for her husband. She knew T. Paine, who lodged at Rickman's house, from June to September 1792. She had seen the proof sheets of the pamphlets, which were brought to her house while Paine was there. Paine himself was to have the profit of the large edition, and Rickman of the smaller.

William Camage deposed, he was a member of the Society for Constitutional Information at Sheffield. He acted as Secretary about six months. In May last, his office ceased. In that situation, he used to sign letters of correspondence and resolutions. The professed object of the Society, when he became a member, was, and he believes still is, a Parliamentary Reform. That was the avowed object during his Secretaryship. He continued a member until he was taken up, and he never discovered any variation as to principle. The Society chose Mr. Brown as their Delegate to the Scotch Convention about a year ago. He was sent to Edinburgh by the Society, with a supply of money. He took ten pounds from Sheffield, and as much from Leeds, which he gave him. The expences of his journey were defrayed by the Society. He received the money from  
Gales,

Gales, the printer, who was a member, and who has since absconded. He recollected Mr. Yorke becoming a member of the Society. Their object was, as he before stated, and he never heard him propose the effectuating of it by arms in public. When the Society was threatened to be dispersed by the opposite party, the people thought they had a right to be provided with arms to protect their peaceful meeting in their own defence. Mr. Yorke approved of that resolution, and likewise of the blade of a pike shewn him by one Hill, the maker. About three dozen were made, and shafts fitted into them. He heard Mr. Yorke's speech on the Castle Hill; he said nothing, that he recollected about arming against the Government. He did urge the utility of petitioning Parliament, and a resolution to that effect was agreed upon. An address to the nation was proposed, which was approved of. Mr. Yorke was conducted home in triumph. He was drawn in a carriage by the people. Canage never heard him speak of a Convention, unless it was in reprobation of the Scotch Convention, which he considered as premature. The Societies, he said, ought to have consulted the people, and collected their sentiments, before they presumed to meet in Convention.

The two letters, found at Mr. Hardy's, were shewn to the prisoner, which he identified. To prevent suspicion and detection at the Post-office, the Secretaries to whom they were addressed, were directed to transmit all the communications to the Society, through the medium of one Moody, a carpenter, at Sheffield. The witness was then desired to describe the pikes that he had seen in the possession of several members of the Society.

Moody,

Moody, he remembered, put the handles into three dozen pike heads. The shaft was of fir, about seven feet in length, and the head fluted like a bayonet, sharp at the point, and, including the socket, might be ten inches long. He had heard of such a thing as a *night cat*; and he saw the model of one. It was for annoying cavalry; by scattering them on the roads.

When cross examined by Mr. Erskine, he confessed, that by the Bill of Rights, they concluded that they had a right to arm in their own defence, and the pike was the cheapest instrument. As to the *night cat* (of which he only saw the model, and he believed none were made at Sheffield), a friend of his told him he had seen plenty of them about twenty years ago at Newcastle. Their resolution to arm was not in opposition to the power of the State, but against the enemies of Reform, who threatened to attack them, if they did not disperse. It was merely to defend themselves, the peace of their city, and the constitution of their country. They never entertained an idea of employing those arms against King, or Parliament.

—— Broomhead, late Secretary to the Constitutional Society at Sheffield, was the next witness examined. He had acted in that capacity for five months, previous to his having been taken into custody. He considered that Society as acting in concert with, and making a part of the Society for Constitutional Information in London. He admitted, that they had delegated a member to the British Convention in Scotland. He knew Mr. Henry Yorke. That gentleman very often made violent harangues in their meetings, but the Society never concurred in or adopted his sentiments. He admitted, that pikes had been made in Sheffield,

field, but they were merely for self-defence, under the authority, as he conceived, of the Bill of Rights.

Mr. Yorke's speech, on the 7th of April, 1794, and some other papers, were then read in evidence.

The quaint answers of this witness, upon cross examination, frequently excited a smile from the Court.

The Resolutions of the London Corresponding Society, dated the 20th of March, 1794, were then read. These went to approve of the serious lecture given on the Fast Day at Sheffield.

The Resolutions passed on that day at Sheffield were also read. They declared, that a system of war was only a system of famine and blood; and that fasting or prayer, for the support of such a system, was merely the trick of Court-sycophants, and was, in fact, a solemn prostitution of religion.

Henry Alexander, a linen-draper, as he was described in Fleet-market, was next sworn. He became a member of the London Corresponding Society in the latter end of the year 1793. He was present at a meeting on the 5th of November 1793, when Mr. Yorke came to take his leave of that Society. There were then present between 60 and 100 members. Mr. Yorke said he was going to Belgium.

He said that he was a member of the French Convention (this is not true in fact) that he was going to put himself at the head of the French army, and expected shortly to lead them to London; that he hoped the Society would be ready to join them, and would not shrink from what they pretended to be. That he hoped to see Mr. Pitt's



head, with those of the King, and the other Ministers, very shortly on Temple-bar; that the Sans Culottes were brave fellows, and that the King and Queen of France, then in confinement, had only met with their deserts; that there were several brave fellows at Sheffield; but that the Society should remember, that no good could be done without some bloodshed.

Being asked, whether Mr. Yorke had said any thing about pikes, &c. he replied in the negative. A mention of these had been made on a former night, but by what member he knew not, on the introduction of a visiting member from Sheffield. Some persons said, that they should be provided, in like manner; and that as to the expence, it was only living on bread and cheese one day.

He was asked, how the speech of Mr. Yorke was received by the Society? he replied, That those who were unanimous, got up, and shook him by the hand, and wished him a good journey. He did not continue a member of the Society. He went immediately to Mr. Dundas, and the Lord Mayor (Sir James Sanderson) to inform them of what had passed.

On being cross examined by Mr. Erskine, he said, he did not go to the Society, with the purpose of becoming a member. He went the first time through mere curiosity, and every subsequent time as a spy. He was by profession a journeyman linen-draper. He kept no shop. He had served different employers, but was not now in a situation. Being pressed with respect to his occupation for the last five years, he faltered and prevaricated greatly in his account. He had lived with Mr. Smith in Cheapside, Mr. Faulder in Holborn, and lastly with a Mr. Chillaby, now a  
taylor

taylor in Moorfields. He had made an engagement with Mr. Manly in Holborn, at a salary of 23*l.* per annum; but had lost it by being subpoenaed in this business. He did not know that an half hour attendance would be sufficient. He had never asked his employer leave to attend. On the contrary, he told him, that he was going into the country. He thought he was to go to Sheffield to give evidence on the trial of Mr. Yorke. This was an idea which sprung merely from his own imagination. He afterwards admitted that it was from an intimation given by Mr. White, Solicitor to the Treasury.---He said he had left his place in Cheapside on account of "words" with his master, but the cause of their quarrel he could not remember. This witness on his further examination, could not recollect any one particular of what had passed on the other six nights that he had visited the Society, except that Mr. Yorke came in one night and stated that he had been on a visit to Mr. Frost in Newgate, who was to be pilloried the next day.

Thomas Whitethorne, George Wadeson and Robert Moody were next examined.

The next witness was John Edwards, who had been for some time in custody. He had been a member, he said, of the London Corresponding Society, and belonged to the division, No. 22. In April last, he was informed by the prisoner, that some person, unknown to the witness, and who resided at Sheffield, had offered to make the blades of some pikes for any person who wanted them; the prisoner, at the same time, produced a letter he had received from this unknown person upon the subject, and read part of it to the witness, adding that he understood a place had been

discovered, or appointed some where in Sheffield to forge the blades for pikes, and that those persons who were desirous of being furnished with those instruments might procure them by an application to that place, especially those who were resident at Sheffield, and belonged to the Society established in that town. Some time after this conversation with the prisoner, the witness heard that a meeting of one of the divisions of the London Corresponding Societies was appointed to be held in Green-Harbour-court. The object of this meeting he learnt was a consultation among such of the members who were desirous of having the blades of pikes made for them. The meeting being accordingly held, it was proposed and agreed, that those desirous of being furnished with these instruments should pay down one shilling each; a plan was also afterwards appointed for several members of the London Corresponding Society to learn the exercise of the musket; he believed the room was somewhere in the Borough, but he did not learn whereabouts; he knew a person by the name of Franklow, he was a member of the London Corresponding Society; but he did not belong to the same division as the witness did; he heard in a conversation at the Society, that there was an association at Franklow's at Lambeth, but he did not know for what purpose they met; nor he did not know in what dress they all met at Franklow's. But he had seen some of them at the anniversary dinner in a sort of regimental dress. A division of the Society, No. 22, afterwards met at the Three Tons, Snow-hill, to consult whether they should form an association similar to that of Franklow's; but nothing was agreed upon; there were sixteen members present there belonging to different

different divisions: he had heard of a Secret Committee that had been formed, but it was soon dissolved. Of this Secret Committee, Mr. Martin, Mr. Thelwall, Mr. Baxter, and others, were members.

This Committee was afterwards revived. The province of this Committee was to receive letters, and hold a correspondence; the General Committee of Delegates met at a house in Compton-street, from whence they adjourned to Mr. Thelwall's house in Beaufort-buildings; he remembered a Committee of Correspondence with the Constitutional Society being appointed: he also remembered a debate among the members of the London Corresponding Society, respecting the trial of Mr. Eaton, when it was proposed to present a medal to the twelve jurymen who had acquitted him; he was likewise present at the meeting at Chalk Farm, and had a ticket of admission from the General Committee for that purpose. At Chalk Farm, about two thousand persons were assembled; they met in a trapball-ground there; he saw there Mr. Thelwall, Mr. Moore, Mr. Richter, and many other members of the London Corresponding Society: he did not know whether the prisoner was there or not, or what passed at this meeting, being in the long room with some ladies the greater part of the time; he was afterwards present at a meeting at Robins's Coffee-house, Shire-lane, Temple-bar—here a paper was handed to the witness, and he was asked if it was delivered to him at that house by any person and whom; he said he did not receive one of the same size, but he did of the same tenure and contents, though of a different date.

The paper was read. It stated that, a new farcé would



would be performed, intitled: "The Guillotine, or George's head in a Basket!" It then ludicrously mentioned the *Dramatis Personæ*. It was dated 1st of April, 1794.

Mr. Erskine opposed the production of this paper in evidence, it not being the identical paper received by the witness. This objection was over-ruled by the Court. After the meeting was over at Chalk Farm, the witness went to Compton-street, where Mr. Thelwall, and other members of the London Corresponding Society were assembled at supper; the witness did not recollect any conversation at the Globe Tavern, about the Hessian troops, nor seeing any paper there upon that subject; he was not present at Robins's coffee-house when Mr. Yorke made his speech; he knew Mr. Hodson, but never received any printed paper from him: he had been at Thelwall's lectures, but never heard that any person was forbid, or prevented from taking notes of the lectures; he knew Mr. Gosling and Mr. Hillier. A short time before the prisoner was apprehended, Hillier and Baxter called upon the witness to speak to him about some pikes, the witness afterwards destroyed his pike for fear it should be found upon him. Hillier had a pike, but he did not know where it was constructed. Upon his cross-examination, he said, he made the pike to protect himself in case of any illegal dispersion of the London Corresponding Society; he had not the least intention to use the pike he had made against the King, or the Government of this country; and he verily believed, that not one of the members who had possession of, or ordered pikes, intended to use them in rebellion against the King, or for any unlawful

lawful purpose whatever, but merely in their *lawful defence*.

The witness said, that the prisoner always reported himself in a very peaceable and orderly manner, seldom speaking at any of the divisions, and when he did, he never used any improper expression; he never heard the prisoner give any orders for, or even talk about pikes, nor did he believe that he ever saw the paper that had been produced in evidence, or had the least knowledge of it; he was convinced that the prisoner had never meditated any act of hostility against the King, or the Government.

Samuel Williams said he had furnished an association at Lambeth with eleven muskets. From the regulations of that body, it appeared they had associated to step forth in case of foreign invasion and civil commotion, that they wore an uniform, learned the manual exercise, and assumed the title of the Royal Lambeth Association. They professed to have a reform in Parliament in view, but if they did not obtain it by petitioning, from some conversations he heard, they would resort to force.

John Groves was then called, who deposed, that he was present at a meeting of the Corresponding Society, on the 20th of January, 1794; that he was afterwards desired, by a particular gentleman, to become a member, which accordingly he did. The name of this gentleman he had no objection to mention, but was told by the Counsel for the prosecution that there was no occasion. At the meeting where he first attended, Martin was in the chair, an address was read, and a great many toasts given, which he did not now recollect.

On cross examination the witness stated that he

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was present at the meeting of the Corresponding Society at Chalk Farm, on the 14th of February. Lovatt was in the chair; a letter was read from the Friends of the People, and an Address proposed; some printed papers were delivered to the persons present. He was asked if he had any of these printed papers about him; and, upon answering in the affirmative, was required to produce them.—The printed account of the proceedings at Chalk Farm was then read.

He said, the principal persons who spoke and acted at the meeting, were Lovatt, Thelwall, Richter, and Hodson. Thelwall said, that he would permit all spies to be present at that meeting, for the account they would have to carry home of the numbers of the Corresponding Society, would be no very agreeable news to their employers.

After the meeting was over, he adjourned along with Thelwall, to the public house in Compton-street, where the division met, and there indeed I heard something that much astonished me; for Thelwall, taking up a pot of porter, and cutting off the head, said, “Thus would I have all Kings served,” or “Thus I would serve all Kings.” Thelwall also gave as a toast, “The lamp-iron at the end of Parliament-street;” and called upon another person to cover it. who gave—“And at the Treasury Bench.”

At the meeting at Chalk Farm, he was sitting in a box with about ten, and was rather surprized at remarking, that five or six of them produced out of their pockets small instruments corresponding with each other. These resembled what the French call *couteau secret*; opening with a spring, and not apt to fly back. One of the company remarked  
these

these were bread and cheese knives, at which he could observe a smile upon their countenances. He was told that he might have one at Mr. Green's shop, Orange-street, Leicester-fields. He went there about a week after; Green told him that he had sold about two or three hundred of these knives; and, the parlour door being open, desired him to speak very low, "For (said he) my wife is a damned Aristocrat."

He was present at the dinner of the society for Constitutional Information, held at the Crown and Anchor, on the 2d of May. He stated, that Hardy brought him a ticket for that dinner; he put his hand into his pocket, but was told there was nothing to be paid for it. Previous to the company having assembled to dinner, some very bad news had arrived from the Continent, which seemed to diffuse an air of general satisfaction. A copy of a song was delivered to every individual of the company; and there was likewise a paper laid on each plate, but its contents he did not recollect.

The moment the company entered the dinner-room, the air of *ca ira* struck up, and continued to be played during the whole time of dinner, being repeatedly encored. It was followed by the Marseilles march, and the Carmagnole.

This witness further stated, that after dinner Horne Tooke got up and said, that there were in the room some government spies, and those he wished in the first place to address. To this the witness particularly attended. He desired the company to remark, that he was not in a state of inebriation; for having something to say, he had taken care to refrain from the indulgence of his glass. He then proceeded: He called the Treas-



fury Bench a scoundrel sink of corruption; and the opposition, a scoundrel sink of opposition; he said there was a junction between these two parties, for the purpose of destroying the rights and Liberties of the Nation. He then, speaking of the hereditary nobility, asked, Whether that skip-jack Jenkinson could be considered as one of the hereditary nobility? He called the King *a poor man*, but whether to amuse or abuse the witness could not say—After this there was a song to the tune of “God save the King,” but he did not recollect whether it was sung by Horne Took, or whether he only added a verse, which he said had been forgotten. This was the song of which a copy was handed about to the company, previous to dinner.

The Attorney General produced the song, a copy of which was read in evidence.

This witness when cross-examined by Mr. Gibbs, confessed himself a spy, and that he was employed to attend by a gentleman, high in office for the purpose of procuring information. He also confessed, that he had frequently seen such knives before, and that they were very common; also, that the Assembly consisted of a number of respectable gentlemen.

George Lynam deposed, that he became a member of the division, No. 12, at the sign of the Mansion-house. He received rules of the Society, and an address; did not know the date, but believed it was in March, 1792. The division of the Society adjourned from thence, in consequence of intimation given to the landlord, to the Crown in Newgate-street.

This witness gave a very dry and tedious evidence, from several books which he had filled with memorandums of the proceeding at the different

ferent meetings and divisions. To the questions put to him by Mr. Bower, he stated himself to have been bred an ironmonger. He became a member of the London Corresponding Society by accident. Being at a public-house where one of the divisions met, he saw a printed paper, containing some resolutions; he warned the landlord against these societies, which had for their object to overturn the Constitution; and if he suffered them to continue to meet in his house, he would have his license taken from him. He afterwards introduced himself among them, for the purpose of observing them, and became a member.

On cross-examination by Mr. Erskine, he said he had been engaged in the commission line, for several years, for captains in the service of the East-India company. He had been first induced to become a member of the London Corresponding Society, from a conviction that traitorous designs against the Government were entertained by its members, and that it was his duty, as a good subject, to assist in procuring the overthrow of their plans. Soon after his admission into the society, he became the object of suspicion to some of the members of which it was composed, and was tried and honourably acquitted of such a charge.

James Walsh stated his having been at Chalk Farm meeting. He heard something mentioned respecting a Convention. The resolutions were read in his presence. One hundred thousand copies were ordered to be printed; and, if necessary, it was said, that the number might be increased to 2,000,000. He remembered having heard Thelwall speak on the occasion; but does not recollect any part of his speech. He was con-

vinced, indeed, that there was no proposition, nor one word uttered, relative to arms. There was one man there, from Ireland, which he knew by his brogue. Cannot charge his memory with any further particulars.

Thomas Green of Orange-street, Leicester-fields, declared, that he had dealt in knives and forks ever since he had been in business. Of three dozen of spring knives, which he had received from Sheffield; he had sold fourteen. He had sometimes disposed of single knives. The prisoner, Hardy, had purchased some in packages, which consisted of six, sometimes seven, in the package. Green sold one to Billington, and another to Groves; but said, that he had got most of those taken by Hardy, on account, returned to him when the prisoner was apprehended. The witness remembered having been one evening at supper at Compton-street, where he cut his food with a knife of this description, which received the approbation of the company.

When cross-examined by Mr. Erskine, this witness said, that he dealt in those knives for several years. They were neither new, nor secret. They always lay in my window for common sale, and he dealt in them for more than seven years. He never knew any cutler without them. He also contradicted what Groves said, and declared he never called his wife a damned Aristocrat.

Edward Hodson said, that he was a member of the London Corresponding Society about three months. Believed that there was no other object in view then a Parliamentary Reform. That the change which they wished to effect was that in the Commons House of Parliament; that it was no part of their plan to attack the King, but that they

they entertained very different objects ; that they designed no diminution of his power ; that they never intended to displace or overthrow the Lords ; and that the witness left the Society when he learnt that Hardy and Adams had been apprehended.

Arthur M'Neal, of the Water of Leith, was a delegate, in the Edinburgh Convention, and attended their meetings sometimes. After the Convention was dispersed, there was a Committee of Union formed, some of them of the Committee of which Watt was a member. There was a Committee of Ways and Means appointed afterwards, Mr. Holt, Mr. Burke, Mr. Richardson, Mr. Watt, Mr. Downie, and himself.—In that Committee, which was held in the month of April, the original object was to defray the expences of Mr. Skirving.—Watt read a plan, proposing to seize the Lord Justice Clerk, and the rest of the Lords of Council and Sessions, and the Lord Provost of Edinburgh ; to kindle a fire in the Excise Office of the New Town, and there was to be a party stationed at Lochin Brach, and a party in another part of Edinburgh. The fire was to draw the military from the Castle. The two parties were to take them in front and rear. Different parties were to seize the different banking-houses in Edinburgh, and commissioners were appointed to collect the cash of the banks. When Watt read this first plan, there were present Mr. Stock, himself, Watt, Downie, and another, being five out of the nine of which the Committee was composed. The prisoner objected to any thing that would tend to shed the blood of his countrymen ; in which Downie agreed with him.

On one of the last nights he attended, Watt  
read



read another plan, in the presence of the same Committee, in form of a proclamation, prohibiting all farmers or dealers in corn, grain, or hay, to remove the same from their dwellings, under pain of death; also, that no gentlemen should go above three miles from their respective habitations, under pain of death. On the other side of the paper, was an address to his Majesty, ordering him to dismiss his present Ministers, and put an end to the present war, or abide by the consequences. The address was to be sent to his Majesty the morning after the attack. This plan he conceives, was to strengthen the former one. The witness told Watt, those things did not belong to a Parliamentary Reform, and he would have nothing to do with him. Watt called upon him, and asked to take a walk to Orrock's, whom he asked to make some pikes, which Orrock sketched out on a board or plate. Watt desired him to be busy and work, as he had 4,000 to send to Perth, beside what he was to distribute about Edinburgh. He met Stock at the Committee, who said, he was going to London or Bristol; and that he would wait upon Mr. Hardy, the prisoner. Watt offered him a letter to the prisoner, to form a correspondence with Mr. Hardy, and him, in a safe manner.

George Lynam produced his books and papers. The most material part of his evidence was, that he never heard the prisoner propose any other mode of Reform, than by a peaceable and constitutional application.

The Attorney General then produced two papers, which were found in the possession of Thelwall, and in the hand-writing of Martin, after Hardy was in custody. They were brought forward

ward to prove, that they existed before the apprehension of the prisoner. They were the resolutions of the Chalk Farm meeting, and were proved by Shaw, the messenger, to have been found in Thelwall's house since the apprehension of Mr. Hardy.

The hand-writing of Martin was proved by William Walker, Evan Evans, and his wife.

John Edwards was sworn, and a hand-writing being produced to him, said, That he had seen one of these bills handed about at the division meeting of the London Corresponding Society, No. 11, held at Mr. Scotney's on Snow-hill.

This bill was put in and read. Of which the following is a copy.

“ The Ins tell us, we are in danger of an invasion from the French. The Outs tell us, we are in danger from the Hessians and Hanoverians. In either case, we should arm ourselves. Get arms, and learn how to use them.”

The evidence on the part of the Crown being closed, the Hon. Thomas Erskine rose in the prisoner's defence, of whose excellent and well-timed speech, the following is a summary:

“ Before I proceed to the case, as it regards the law and the evidence, I wish to follow the liberal example that has been set me by the Attorney General, in his opening speech, in putting aside every thing collateral to the question. But first, both in the name of the prisoner, for whom I stand, and for myself, I desire to ascribe to all that eulogium, pronounced by the Attorney General, on the constitution of this country, as handed down to us by our ancestors, the result of their superior wisdom and virtue, and entitled to the esteem and veneration of all posterity. What I will ask, en-  
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titles the constitution to this eulogium? I will now speak of the right which it affords to its subjects, of making their own laws, but of the equal protection afforded to all, and the security provided for the impartial administration of justice. The Attorney General seemed to lay great stress on the anarchy and confusion of France, on which he descanted at length. Into that subject I will not at present enter. But what is it that the French have chiefly to deplore? They are at present under the dominion of a barbarous necessity, in consequence of which no man's life, liberty, or property is secure, or at his own disposal for a moment. The first instant that a charge of incivism, federalism, or moderantism, is brought against him, the sentence of the Revolutionary Tribunal follows—quick as the thunderbolt pursues the flash, and he is doomed to behold his friends and family no more. Such is the comparative state of England and France; and what is the inference we ought to draw with respect to the present case? If the prosecution be indeed intended to avert from this country the horrors of that anarchy, under which France at present labours; if it be intended to secure the continuance of those blessings which it enjoys under its admirable Constitution, let not the prisoner suffer from the execution of barbarous laws barbarously enforced, or from the well-meaning enthusiasm of those, who, sincerely attached to the constitution, are desirous to ensure its preservation at any price. It is necessary that you, Gentlemen of the Jury, should guard against a source of delusion and injustice; it is necessary that in the decision which you are called to give, you should stand on the strict and unequivocal letter of the law. It would  
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not be enough that the prisoner should appear to you to have been rash, foolish, or even wicked—the last of which it would be impossible to support by any colour of evidence—for, I trust, I shall be able to vindicate his conduct, which, in the present instance, is of little consequence. It must be proved, to your satisfaction, that he has offended against that statute under which he is indicted. He holds his life from the law, and by it he demands to be tried. This fair trial I ask; first, from the Court---I ask it more emphatically from the Jury—but, lastly, and chiefly, I implore it of him, in whose hands are all the issues of life, at whose command nations rise and fall, and are regenerated. I implore it of God himself, that he will fill your minds with the spirit of justice, and of truth, that you may be able to find your way through the labyrinth of matter laid before you; a labyrinth in which no man's life was ever before involved in the whole history of British trial, nor indeed the universal annals of human justice or injustice."

Mr. Erskine then proceeded to the indictment, which is given already, and then to show the law of the land on charges of High Treason, for which purpose he made some excellent quotations from Lord Chief Justice Hale, Judge Forster, Lord Coke, &c. Also from Lord Mansfield's charge to the Jury on the trial of Lord George Gordon---as follows:

"The prisoner at the bar is indicted for that species of High Treason, which is called levying war against the King, and therefore it is necessary you should first be informed what is in law a levying war against the King, so as to constitute the crime of High Treason, within the statute of



Edward III. and perhaps according to the legal signification of the term before that statute. There were two kinds of levying war : one against the person of the King, to imprison, to dethrone, or to kill him, or to make him change measures, or remove Counsellors.---the other, which is said to be levied against the Majesty of the King, or, in other words, against him in his regal capacity. In the present case, it does not rest upon an implication that they hoped by opposition to a law to get it repealed, but the prosecution proceeds upon the direct ground, that the object was, by force and violence, to compel the legislature to repeal a law; and therefore, without any doubt I tell you the joint opinion of us all, that, if this multitude assembled with intent, by acts of force and violence, to compel the legislature to repeal a law, it is High Treason.

“ Such were the words of the venerable Earl of Mansfield on that trial. Now he would take the liberty, as the Attorney General had alluded to it, of quoting his own words upon the same trial. This was the sentence alluded to by the Attorney General :

“ *To encompass or imagine the death of the King*, such imagination, or purpose of the mind, visible only to its great author, being manifested by some open act; an institution obviously directed, not only to the security of his natural person, but to the stability of the government; the life of the Prince being so interwoven with the Constitution of the State, that an attempt to destroy the one, is justly held to be a rebellious conspiracy against the other.

“ This was true, the destruction of the King led to the destruction of the State ; but did the converse :

verse of this doctrine follow of course, as the Attorney General seemed to insist upon? That to compass or intend any alteration in the other branches of the legislature, was compassing the King's death. The charge of compassing or imagining the death of the King, was the inference of reason from overt acts; but did it ever enter into the mind of man, that the intention was matter of law? Certainly not; for it was a fact to be determined by a Jury, and by them only; it was the inference of their reason from the facts, and not the inference of law.

“ The Duke of Richmond was a man of great fortune, of the highest rank, and it was not to be imagined, that by contending for Universal Suffrage and Annual Election, he meant to subvert the Government, and strip himself of his own honours. The Duke of Richmond was not only a man of high rank but well known to be a man of extensive reading and deep reflection. The plan he proposed, as the only adequate plan for the Reform of Parliament, was not the offspring of rashness or folly, but of information and reflection. The Duke of Richmond said what he (Mr. Erskine) should be ready, on all occasions, to say—and he cared not how many of such miserable spies as had been brought forward to give evidence on this trial, were present to take down his words; or, as was more commonly their practice, to report what they thought fit to understand by his words, without taking them down—that if the Representation of the People in Parliament was not reformed, if the abuses that had crept into it were not corrected, abuse accumulating upon abuse, must inevitably lead to a Revolution. The Duke of Richmond published his plan in 1782. The

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plan was addressed to Colonel Sharman, and proposed appointing Delegates by Assemblies of the People, no matter whether styled Constitutional or Corresponding, or any other Societies, to meet in a General Convention. The terms, Delegates and Convention, were, therefore, no new inventions, no imitations of a French model, but the natural growth of our own soil. When the Convention met at Edinburgh, although many imprudent speeches were made in it, speeches which he had no inclination, and which the defence of his client certainly did not call upon him to justify, the declared intention of those who composed it, was to obtain, what they, following high and unsuspected authorities, were taught to believe the unalienable Right of the People. A free and fair Representation in the Commons House of Parliament, was the unalienable Right of the People. He did mean to state this as a right to be recognized in a Court of Justice, in opposition to positive law, by which Courts of Justice could alone be guided, but as a right not of new imagination, sanctioned by the most unimpeachable authorities, and in prosecuting which, by legal means, no man incurred either guilt or censure. On this right was founded the right of his Majesty to the Throne, as he himself had maintained in Parliament, in opposition to the then newly adopted tenets of Mr. Burke. "Of Mr. Burke," said Mr. Erskine, "I speak not to blame. I allude not to his change of political opinion as a fault: that change, I think, is to be liberally interpreted. I speak not here to blame any man. I speak to recommend charity among men, for the opinions of one another, to conciliate all hearts in favour of our common country, and by a fair, clear, and unprejudiced

prejudiced application of the Laws of that Country, to induce all to pursue the common interest, untrifled by armed Associations on the one hand, or Courts of Justice on the other." The Counsel for the prosecution must prove the intention charged in the indictment, and that satisfactorily; not by proof of surmise and conjecture. To illustrate this, he quoted a passage in Chief Justice Eyre's charge to the Grand Jury. He next quoted a passage from Holt, importing, that forced or strained constructions are not to be put upon mens words or actions; but that the intention of them is to be tried and made out by clear and palpable evidence. Now let the intentions of the prisoner, and his associates, be tried by this criterion. Were they the first to take up the doctrines now charged upon them as proofs of a treasonable purpose?

"The first witness from Sheffield said, that he acted upon these doctrines as the Duke of Richmond had done, whom he never imagined to have any intention of subverting the Government, or compassing the death of the King. He did not mean to say, that one man's having committed a crime with impunity, would justify another in committing a like offence; but that if one man had circulated particular opinions, without ever being accused, or even suspected of evil intention, the circulation of the same opinions by other men, was not to be held as evidence of evil intention. To whom did the Duke of Richmond transmit and recommend his plan? To Societies provided with half a dozen pikes? No; to Colonel Sharman, at the head of 10,000 men, armed and in military array---to men not commissioned by the King---to the Volunteers of Ireland, to whose exertions it was owing that his Majesty now enjoyed the Crown of Ireland. These men, so armed and  
arrayed,



arrayed, held a Convention, not secretly, but in the face of the day. By the authority of the King? No. By the authority of the Lord Lieutenant? No. By the authority of circular letters; and so far was this from being stigmatized as Treason, that their demands were complied with---wisely and properly complied with---for to grant the people their rights, was the surest way to harmonize their minds, and to attach their affections to the Government. Of all the witnesses called on the part of the prosecution, was there a man, except the Spies, who said that their intention was any other than a Reform of Parliament, by legal and constitutional means? If the spies were not to be believed, in contradiction to all the other witnesses, the Court and the Jury were mis-spending their time; they might close the proceedings at once, and go home. All but the spies said, that they would have renounced the Societies with indignation, if they had believed there was any intention of deposing or killing the King. How could the poor prisoner at the bar hate the King, from whom it was impossible he could ever have received an injury? Was not the character of his Majesty such as to conciliate the love and affection of his subjects? Did he not confide so much in that affection as daily to ride abroad among them, without the parade of guards or attendants? Where, then, was the ground of this black suspicion, as unworthy of the King, as unmerited by his people? The minds of the men, who composed those obnoxious Societies, were irritated into intemperance by the representation of those who were now his Majesty's Ministers, of the abuses flowing from the decay of representation, and the consequent corruption of Parliament; and, if the prisoner at the bar should be hanged,

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while the Duke of Richmond was called to a seat in the Cabinet, he should say,

“ ——— Plate sin with gold,

“ And the strong lance of Justice hurtless breaks;

“ Arm it in rags, a pigmy straw doth pierce it.”

“ The Counsel for the prosecution contended, that, to attack the Parliament was to attack the King, because the King was an essential part of Parliament. By no means.—Who, in talking of Parliament, in common acceptation, was supposed to mean the King? When those Societies attacked what they thought the abuses of Parliament, they meant what those who went before them had meant—the abuses in the representation, which might all be corrected without trenching in the least on the natural or political existence of the King. But, it was said, they talked of reforming Parliament by exciting the people. Mr. Burke had said before them, that no remedy for the distemper of Parliament could be expected to be begun in Parliament; and that the people must be excited to meet in counties and in corporations, and make out, if they could, lists of those who voted, and on what side; in short, that, to obtain any correction of the abuses in the House of Commons, the impulse must come from the people. After a petition for Reform, in 1780, had been rejected, the Duke of Richmond wrote in a manner much stronger than those who were now accused of conspiring to lay hold of the Parliament by violence. He wrote, that the late Reform had been tried and failed; that not one proselyte had been gained; that the weight of corruption was such as to bear down every thing; that he had no hopes of Reform from the House of Commons; that

that Reform must come from the people themselves, and that they ought to meet more numerously than ever, to claim their undeniable rights, universal suffrage, and annual elections. How were the people to assert these rights after Parliament had refused to grant them? In this manner, the persons now under prosecution had done, and professed to do---not by rebellion, but by collecting and bringing before Parliament, the weight and influence of collective opinion. It was said, that this war against the State had amounted to rebellion---The assertion was unfounded---What was the State? The State was the body of the people, with their Sovereign at their head; nothing was rebellion that had not for its object the destruction or enslaving of the people and their Sovereign so connected, and, he trusted, he should never hear again that the people all meeting, must mean to depose the King---that the King stood only supported by the few who called themselves the King's friends, and branded all others with the name of Democrats, or Jacobins, or whatever else was the nick-name of the day. It was clear, from the beginning to the end, that the Societies with which the prisoner was connected, spoke only of the representation in the House of Commons; and he would maintain, as they did, that they had a right to do so; and he knew that if the people were so met, they would be for the continuance of the Crown. It was their inheritance---what a dangerous principle it would be for to lay down, that if the people were collected together, the necessary consequence must be the destruction of the King? The King's protection stood on the love of the people collectively, not on the adherence of this or that description of men, and to say otherwise



was a libel on both King and people. He was sorry to hear any man called a traitor for talking of the Rights of Man. The Duke of Richmond had long since said that they were the foundation of all legitimate government; because men professing, but abusing the same sentiments, had destroyed every thing in France, it ought not to be fastened upon the prisoner, that he, professing to claim the Rights of Man, meant also to destroy every thing in England. Before going into the Duke of Richmond's definition of the Rights of Man, he would mention one more in his recollection, because it arose out of a discussion in which it was his fortune to bear a part. In the debates upon the memorable India Bill, one of the most popular topics of declamation against it was, its being an attack upon the chartered Rights of Men. Mr. Burke took fire at the expression. He said he did not know what was meant by the chartered Rights of Men. He feared there was something in this more than was indicated by the affectation of the phrase: for what end, but the end of the moment, was the word *chartered* introduced? For the Rights of Mankind were founded in nature, and needed no charter to give them sanction. Chartered Rights he had always understood to be matter of compact; and to be forfeited by breach of compact; but the natural Rights of Man were sacred, and could neither be lawfully forfeited nor infringed. Let those who call themselves champions of the authority of the Crown, take care that they do not pull down what they profess to support. Let them beware of weakening his Majesty's Rights, by the very means they adopted to confirm them. The ancient Kings of this country abused their government by cruel and infamous



trials, by more cruel and infamous punishment, by packing Juries, by arbitrary imprisonments, by scandalous abuse of law, by depriving the people of arms; thus not only their government, but their persons became odious; they dreaded to assemble the people; and when King William issued his writs, calling the people to meet, they did not meet; but had they met, the general consent of the people would have been given to his accession. He recognized their rights under a law which all knew and all revered---the Bill of Rights---Rights which they always had; and here began the mischief, in consequence of which this Court is now sitting. The denial of that proposition brought Mr. Paine into this country. But, for this denial, Mr. Paine never would have been an author amongst us. Why came Mr. Paine here as an author? To answer Mr. Burke, who denied the King's right to the Throne by denying the right of the people to alter the succession? The French had pulled down a system of corruption and tyranny, so enfeebled by its own inherent defects, that it was ready to fall of its own accord. Mr. Burke denied their right to do this. Mr. Paine wrote an answer, and, as a Republican, threw in much stuff about Monarchy, which had nothing to do with the main question. The first part of the Rights of Man was applicable only to France. But a book, called an Appeal from the New to the Old Whigs, applied it to the government of this country. Mr. Paine arrived, and notwithstanding his first intentions, this attack exasperated his spirit, and he wrote a Second Part to his Rights of Man, in which he vindicated the rights of the people in this, or any other country, to change their government.

Mr.

Mr. Erskine said, he would vindicate, in presence of as many spies as could be collected, the Right of the People, to oppose despotic power, and to change the form of their government, when that form was radically and essentially bad. He had opposed, and would always oppose, the Right of Despots to prevent any people from forming a government for themselves, of the sweet or bitter fruits of which they themselves must eat. If the people of France were to say to the people of England, "You shall have a Republican form of Government," the people of England would say, "No; we have already chosen our form of Government, a mixed form, a limited Monarchy, which we approve; and if we did not, we would receive a form of Government from no power on earth but our own." The people of England have a right to change their Government if they please; they will not, if you use them well; but it is to the denial of this principle all the calamities of these trials are to be imputed.

Mr. Erskine having quoted the opinion of Locke from his Treatise on Government, which was written in answer to the Jacobites, who denied the right of King William to the Throne; proceeded to recapitulate the evidence, observing, that he had been obliged to omit many and important topics of general defence, in order to apply his attention to disembroiling the chaos which he had no time to consider but by the indulgence given him by the Court and the Jury. The original Address of the Corresponding Society they would not have published, had they thought it criminal. They not only published it, but they sent it as a circular letter by post, addressed to various persons, and even a copy to the Secretary of State.

On the tremendous evidence adduced in this trial, he observed that a song, found among Hardy's papers, had been produced against him, without the shadow of proof that it had been written, published, or even approved by him. He had received it, as many things were received by men of all descriptions in this town, without knowing whence it came. It had been perhaps dropped down his area. If such evidence were held sufficient to affect a man's life, he (Mr. Erskine), who received and read papers of all sorts, had probably now, in his house, evidence sufficient to hang him and his whole family. The Address of the Society was founded on the Duke of Richmond's letter to Colonel Sharman, containing a plan, upon which men of high rank sat as Delegates in the city of London, with Aldermen of the city of London. A little time before the Convention met at Edinburgh, a Convention of Delegates from the counties of Scotland met, of which the Chief Baron of his Majesty's Exchequer in Scotland was Chairman, and the Lord Advocate, the Dean of Faculty, and Sir Thomas Dundas, now Lord Dundas, sat as members. An application had been previously made to Parliament, for a Reform in the mode of electing members for the counties, and rejected. What did this meeting of Delegates, according to their own advertisement? They met for the purpose of altering and amending the law; they agreed upon certain heads, and resolved to send them, where? To Parliament?---No; but to the several counties in Scotland to collect opinions and signatures. Was this meeting called treasonable?---No; it would have been called scandalous to impute treasonable motives to any man who attended it. The object of the Corresponding Society,

ciety, on the first piece of evidence, viz. their own Address, was Reform of Parliament, by legal means. Would the Jury impute to his Client, against whom not a contumelious word respecting Government had been proved, the shocking crime of Treason for supporting a measure, sanctioned by so many and so recent authorities? Let them read the lines prefixed to the Address of the Corresponding Society, and see if they could find any thing in their subsequent proceedings to match them; which were written by Thomson, under the roof of Lord Littleton, under the protection of the Prince of Wales, who perhaps thought that the Rights of the People were the surest guarantee of his own Rights.---By a man who had studied and understood the British Constitution, who venerated liberty but loved order---by a man whose works had been the delight of a nation, and to whose memory a monument was now erecting. If the objects of the Societies were treasonable, then every man, who had been a member of any one of them, was guilty of Treason, and he held his life as tenant at will of the Attorney General. Of the Convention, either held or proposed, the Attorney General imputed the whole original sin to the London Corresponding Society. The contrary, however, was the fact. A Convention of Delegates from the Scot's counties had been held as above mentioned at Edinburgh; and the Societies in Scotland, on the usual principle of national vanity, resolved to imitate the example. They agreed on a Convention of their own, and invited the London Societies to send Delegates to it. Some of them sent Delegates, whose instructions were that they should concur in all Constitutional acts for a reform in the representation of the people.

Every



Every man was bound by the acts of his agent within the limits of his agency; but if an agent, sent to buy horses, should think fit to steal horses or commit treason, his employer would be amenable neither for the Felony nor the Treason. By the same rule, no acts concurred in by those Delegates which were not within the letter of their instructions, could affect the Societies by which they were sent. Mr. Erskine arranged, and commented upon the whole of the evidence in a masterly manner, illustrating every objection he took to it by the most apposite and pointed remarks. He warned the Jury against giving their sanction to constructive Treasons, and repeated Dr. Johnson's remark on the acquittal of Lord George Gordon—"I hate Lord George Gordon; but I am glad he is acquitted, because I love my country and love myself." He remarked with particular severity on the attempt to implicate Hardy in the charge of providing arms, on no better evidence than because a man at Sheffield had written a letter to him, offering to make pikes, and desiring him to forward another letter of the same tenour to Norwich; although it clearly appeared that Hardy had never read the letter addressed to himself to any body, nor forwarded the letter to Norwich; and on the still more atrocious attempt to implicate him in the business of Watt at Edinburgh, from the mere circumstance of Watt's having written a letter on the subject to Hardy, with whom he had never corresponded before, and from whom he had received no answer to his letter. If such evidence were to be tolerated, the most innocent, the most meritorious man living might be stripped of his fortune, reputation and life, by any ruffian who chose to address a treasonable letter

letter to him, and get it conveyed into his house. If the witnesses for the Crown, not spies by profession, were worthy of credit, then the prisoner was innocent --if they were not, then the testimony of the spies, admitted on all hands to be insufficient of itself, was left totally destitute of support. One or other side of the alternative must be taken. It was impossible to say that the witnesses for the Crown were to be believed where their testimony made against the prisoner, and disbelieved where it made for him. If the testimony of the spies could be supported by other witnesses, whose evidence would not prove at the same time that the prisoner never harboured the treasonable intention imputed to him, why were they not produced?---For this reason only, that out of more than 40,000 members of the several societies, not one could be found. On the character of spies, having no eloquence of his own, he would avail himself of the eloquence of a writer who had much (Mr. Burke).

“ A mercenary informer knows no distinction. Under such a system, the obnoxious people are slaves, not only to the Government, but they live at the mercy of every individual; they are at once the slaves of the whole community, and of every part of it; and the worst and most unmerciful men are those on whose goodness they most depend.

“ In this situation, men not only shrink from the frowns of a stern magistrate; but are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse and in social habitudes. The blood of wholesome kindred is infected,---Their tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable, are perverted  
into

into instruments of terror and torment. This species of universal subserviency, that makes the very servant who waits behind your chair the arbiter of your life and fortune, has such a tendency to degrade and abase mankind, and to deprive them of that assured and liberal state of mind which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him with a feverish being, tainted with the gaol-distemper of a contagious servitude, to keep him above ground, an animated mass of putrefaction, corrupted himself, and corrupting all about him."

"My whole argument, therefore, says Mr. Erskine, asserts no more than this, That before the crime of compassing the King's death can be found by you, the Jury, whose province it is to judge of its existence---it must be believed by you to have existed in point of fact.

"My wish and my recommendation is not to conjure up a spirit among us to destroy ourselves, by bringing on the tyranny of a French Tribunal, where an accusation is enough to bring its object to the guillotine. Let us keep to the old and venerable rules and laws of our forefathers; and let a Jury of the country feel the duty they owe to the public, to themselves, to posterity, and to God, to preserve by law the life of a man who only asks it of them on the terms they would, in their turn ask their own. I shall now conclude with a fervent wish and a fond hope, that it may please God, who guides the world, moulds governments at his will, and who governs us all in justice and in mercy; from whose care and bounty has arisen  
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the prosperity and glory of this happy island, to enlighten and direct your minds! To your care, I now commit my client, without fear, being confident that you will do him justice.

Mr. Erskine called several witnesses, who proved the general character of the prisoner was perfectly harmless and honest; particularly Lormand Goddard, Francis Dowling, Alexander Fraser, William Barkley, David Martin, Edward Oakes, &c. &c. His Grace of Richmond acknowledged a letter which he addressed to Colonel Sharman.---Richard Brinsley Sheridan, Esq. and Mr. Francis were also witnesses for the prisoner. Lord Lauderdale being examined, said, he had received a letter from the Society of the Friends of the People in the suburbs of Edinburgh, requesting him to become a delegate to the Scotch Convention; he accepted the offer, and heard nothing among them injurious to the Crown or the House of Lords; their language was, to acquire, by peaceable means, a thorough Reform in Parliament.

The evidence on both sides being closed, Mr. Gibbs rose, and made a very able defence for the prisoner. In the course of which he referred to the evidence of Mr. Sheridan and Mr. Francis, as proof that the prisoner could have no evil intention. To Mr. Sheridan he had offered the inspection of all his papers, without reserve. Mr. Francis he had asked to present a petition to the House of Commons, praying for Universal Suffrage and Annual Election; reasoned upon the subject, and professed his adherence to the Duke of Richmond's principles. On being told that it was informal in a petition, complaining of a grievance, to insist upon a specific remedy, he professed



his readiness to adopt any form, but still maintained that Universal Suffrage and Annual Elections was the only adequate remedy. Surely this was the conduct of a man, who, however erroneous he might be in his opinions, was himself sincere in the belief that they were well founded. The Counsel for the Crown wished the Jury to believe, that all this was only pretext, on the part of the prisoner, to cover treasonable designs. Let the Jury examine how this stood. The prisoner, and those with whom he acted, thought the representation of the people defective, and the House of Commons in consequence corrupt. They were persuaded also, that a majority of the people held the same opinion--he did not say so, but they thought so; and, therefore, wished to appoint a meeting of Delegates, by which they might ascertain, beyond dispute, that this was the opinion of the people, and concert the means of giving it effect. What said the Duke of Richmond? That all attempts to obtain reform from the Parliament itself, with every incidental help and advantage, were overborne by the corruption of Parliament; that not a single proselyte had been gained from corruption; and that the only remaining hope of reform was from the people. What was the remedy he expected to come from the people, for this corruption of Parliament? Universal Suffrage and Annual Elections. Now it was objected to the prisoner, that his own complaint of the corruption of Parliament, was all a pretext. What colour was there for this, when twenty witnesses had deposed, and almost any number might have been produced, that both he and they adopted the opinion of the Duke of Richmond? The prisoner thought a Convention of Delegates the best mode

mode of obtaining a reform. The Duke of Richmond published, that he expected no reform but from the people at large. When the Duke of Richmond said this, How was a plain man, like the prisoner, to understand it? The fair construction was, that he thought the collected sense of the people at large, communicated to Parliament, would not be disregarded, as the petitions of comparative small bodies had been, and that thus, by constitutional means, the reform he thought necessary would be effected. If this, which was the probable interpretation of his views, were but barely possible, surely, the Jury would [not prefer the harsher to the more lenient construction.

“ It was a maxim of law, that in all doubtful cases they were to incline to innocence, and that acts of themselves indifferent, were in every case to be taken in the most favourable sense.

“ He also remarked, if he had been a man of dissolute life, his rushing hastily into any scene of guilt, might not have been improbable. But such a character had been given of him, as, of any man in his station of life, had never been given in any court of justice. Friends, neighbours, employers, the clergyman of whose congregation he was one, all concurred in declaring him religious, sober, industrious, mild in his temper, exemplary in his general conduct, and worthy of any trust. The clergyman said, that he had conversed intimately with him upon political subjects, for the express purpose of discovering his real intentions, and was persuaded that they were what he professed them to be. Many of the witnesses to his character, did not belong to the same Societies, nor entertain the same political sentiments; yet they all concurred in stating his character to be irreproach-

able, and some of them had known him for twenty years. This was one of the cases in which character ought more particularly to avail, for the Jury were to try and pronounce upon the act of the prisoner's mind; and unless they were convinced that he meant to overturn the Government, as the means of affecting the death of the King, they must acquit him."

Chief Justice Eyre then said,---"Prisoner, you applied to the Court for counsel, and counsel were assigned you. They have now concluded what they have to say in your defence. You are at full liberty to offer a defence for yourself. If you have any thing to say, this is the proper time."

The prisoner then made the following reply,---"I am perfectly satisfied with the defence my Counsel have made for me, and wish to add nothing to it."

The Solicitor General now made his observations, and here it may be proper to remark, at the close of the prosecution, that no men ever conducted themselves with more mildness and humanity, than the Counsel for the Crown. Mr. Attorney General was manly and dispassionate, firm and humane. Mr. Solicitor was so visibly affected, that he concluded quite suffused in tears,

Lord Chief Justice summoned up the evidence in a very able and impartial manner, and then left the gentlemen of the Jury to consider their verdict.

The Jury, before withdrawing, asked for a copy of the indictment.

Chief Justice Eyre--I see no objection to letting you have a copy of the indictment, although it is not quite regular, provided it be done by the consent of the parties.

No

No objection was made, and a copy of the indictment was handed to the Jury.

Chief Justice Eyre—Gentlemen of the Jury, it is proper to inform you, that after you withdraw, you can be allowed no refreshment. If you wish for any refreshment, now is the time to take it.

The Jury—My Lord, we thank you, but we shall have occasion for no refreshment.

At half an hour past twelve o'clock, the Jury withdrew; and at half past three, returned a verdict of—NOT GUILTY.

The Lord President then thanked the Jury for their diligent attendance on so long and arduous a trial; and gave directions that the prisoner be immediately discharged.

Mr. Hardy then thanked the Jury for the verdict they had given, both on behalf of himself, and of all his fellow-subjects.

The populace, who, notwithstanding the wetness of the day, filled the streets adjacent to the Court House, received the news of his acquittal with the loudest acclamations of joy. And after he was discharged, they followed the coach, which conveyed him to his lodgings, and taking the horses from it, drew him to different parts of the town.

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*The remarkable Trial of JOHN HORNE TOOKE,  
for High Treason.*

ON the 17th of November, 1794, came on the Trial of Mr. John Horne Tooke. When at the bar, Mr. Tooke said, it was necessary for the purposes of his defence that he should quit the situation in which he stood, and to be near  
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the Counsel which the Court had assigned to him for the conduct of his defence.

The Chief Justice said that it was an indulgence he hardly ever knew given to any person in his situation.

Mr. Tooke knew it was an unusual application, but as it was impossible for his Counsel to know several particular facts, if he had not the opportunity of instructing them every moment; he, therefore, looked upon it as his right and no indulgence. If they allowed him to stand by his Counsel, he might have some chance of making his defence; but if they kept him at that bar for nine hours, as was the case of the person who stood there last, there would be no occasion for any verdict, for that of itself would be as effectual as any sentence of death that could be pronounced against him. It should be recollected also, that he came out of a place of very close custody, part of which had been attended with degrading and humiliating circumstances, and some of them inhuman ones, where he had wasted his health during a sultry season; many returns of the year he could not expect in the course of nature, if he were discharged now; but if ordered to remain where he stood now, he could not expect to survive the present trial. He might, perhaps, be able to afford his Counsel such means for making his defence as would materially shorten the trial, if the Court granted the means, by granting what he now asked.

The Chief Justice observed, that the prisoner had what the law regarded as necessary means to enable him to make his defence. He had had Counsel assigned him; they had had, or might have had, access to him at all seasonable hours; that

that was what the law allowed him. He had taught the Court not to use the word indulgence, and he had taught them too, that in their duty they were not to give him any indulgence; now his Lordship said, that he was apprehensive, that to grant this application would be an extraordinary indulgence, because it was a thing that was not done to any other prisoner, who had the same stake that he had, or any other person who came to that bar, and therefore, on that score, the Court would not be permitted to comply with this request; they could not, in that view, do it, without being guilty of injustice to others; it was evident, therefore, that the Court would not grant what the prisoner asked, on the ground on which he asked it; but he had stated another, which, although he grounded no motion on it, yet was in itself extremely material, and would warrant the Court in doing that which the prisoner thought they ought not to do, namely, to grant him an indulgence; he had stated the condition of his health to be such, that he must suffer much if he was ordered to remain where he stood; the Court would not put his life in any danger on account of the place on which he stood, nor his defence to any difficulty that could be avoided by the Court; they wished him to make his defence in the best manner imaginable; if this was likely to disentangle the prisoner out of any difficulty which he felt, his Lordship said, he would put it to the Judges, whether the prisoner might not be INDULGED, as he asked.

Mr. Tooke said, that on the footing of indulgence, he thought he had explained himself already; but if the Court should refuse it under the title which the Chief Justice was pleased to give it,

it, they would hear his argument on the point of law in this case.

The Chief Justice said, that the prisoner should state the whole of what he had to say on this subject now; and before the Court deliberated, if he wished to argue any point of law, the Court would hear him.

Mr. Tooke said, that, if he understood there was any objection on the part of the Bench to what he asked, he should be ready to argue the point, and should desire to argue it; it was a point on which the principle of the law was clear; he begged leave to say, that although in his own mind he excluded the idea of any indulgence, and applied the part of the score of health, yet he was confident, that upon either he had a right to argue in favour of the application which he now made; but understanding, from appearance, that the Court was willing to grant the object of it, he did not think it necessary to cavil on a word: he had in substance what he asked, he should therefore say no more upon this matter, only begging it to be understood, that he did not mean to change his ground.

The Judges having consulted for half a minute—The Chief Justice informed the prisoner, that the Judges present felt themselves extremely disposed to indulge the prisoner on the score of his health. Mr. Tooke thanked his Lordship for that *on account of his health*, and accordingly took his place near his counsel. Much debate took place respecting the Jury—when complete, Mr. Percival opened the pleadings, which were precisely the same as those in the preceding trial. The Solicitor then made his remarks on the crime of High Treason.

“ He

“ He would, he said, attribute to the prisoner having engaged in a conspiracy to effect a change in the Sovereign Power, the King, Lords, and Commons in Parliament assembled. He would attribute to him, for the purpose of accomplishing the conspiracy, that he not only quarrelled with the administration and the frame of Government, but the principles of the constitution; and his objections were radical and entire. He would shew, in the course of evidence, that the prisoner conceived no Government good, but such as in principle was founded on the Rights of Man; and that it was the duty of every man to destroy that Government, which differed from one so formed. To shew the opinion of the prisoner and others of the Government, he read extracts from a book written by Mr. Joel Barlow. He then adverted to the various societies throughout England: particularly, the Constitutional and London Corresponding Societies.”

The remainder of the Solicitor General’s speech was a history of the minutes of the proceedings of these two Societies down to May last, upon the seizure of their papers, together with Mr. Hardy, Secretary to the Corresponding Society, and Adams (since become an evidence) Secretary to the Constitutional Society, the particulars of which have been already mentioned in Mr. Hardy’s Trial.

Afterwards the Solicitor General entered into a minute detail of the two Societies down to the seizure of the State Prisoners. Of the proceedings, likewise, of the British Convention, he detailed the leading features. In the midst of these he was interrupted, by

Mr. Horne Tooke, who, apologizing to the  
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Court, declared, he wished but to save their time and his own, for which he was anxious not to misunderstand the Learned Counsel. He understood him to say, that all these facts he meant to bring home to him, the prisoner, personally; for if he did not, his observations would go for nothing.

The Court agreed in this sentiment.

The Solicitor General observed, he meant to prove the prisoner was in the chair when certain Resolutions were adopted. He then proceeded in his detail and comments on the proceedings of the two Societies down to May last.

Thomas Maclane proved the seizure of the books and papers of Adams, on the 12th of May, and said the book shewn was one. Mr. W. Woodfall believed the part shewn to be the hand-writing of Mr. Tooke.

Daniel Adams, Secretary to the Constitutional Society, was called to prove the books, &c. He said he had been Secretary for ten years past. The entries were regularly made in a book; names were frequently in the book, though the persons were not present, because their names were entered at the time they came into the room, although perhaps they did not stay. They frequently dined together, and many members left the place after dinner; by that means their names were entered, though not actually present. He entered the proceedings from minutes handed by different people. It sometimes happened, that when a person was in the chair, after he had left it, that another was placed in it, without its being noticed in the minutes.

He was cross-examined and re-cross-examined by Mr. Tooke.

John Thompson was called to prove, that he found

found in the prisoner's possession the resolutions from the Manchester Constitutional Society, with letters from Mr. Cooper, respecting the proposed abridgment of the Rights of Man, all addressed to Mr. Tooke.

On Mr. Tooke remonstrating against this kind of evidence, the Court said, that a great number of papers may be found in possession of a man in the shape of letters directed to him; but, that, unless they lead to answers given by the person to whom they were so directed, they would not operate against him.

Mr. Tooke said, he never answered any letters; and if what was directed to him was to appear in evidence against him, there might be found among his papers a letter from a man deranged in his senses, which would subject him to a prosecution for blasphemy, as it ran thus, "Verily, verily, I say unto you, that I am God the Father, God the Son, and God the Holy Ghost."

The Chief Justice told the prisoner, if he would argue against the strength of all the other evidence, as he did against this, he had nothing to fear from the present trial.

A variety of papers were read, which were produced in Court on the trial of Mr. Hardy; also several others: particularly a circular letter in the hand-writing of Mr. Tooke, and signed by him to all the Members of the Constitutional Society.

Several who were witnesses for the Crown on Mr. Hardy's Trial, were likewise evidence for the same on the present occasion.

A Mr. Hull, a member of the Constitutional Society was called on the part of the Crown, but he did not remember a single circumstance that was asked, of course he was quickly dismissed.

After one or two more papers were put in by the counsel for the Crown, the Solicitor General acquainted the Court, that the evidence in support of the prosecution was closed.

Mr. Erskine commenced by a brief recapitulation of the occurrences on Hardy's trial; when he had contended against the united efforts of the most eminent gentlemen at the bar, who had been retained on the part of the Crown. He rejoiced in the success which had marked his exertions in that trial, because he had been instrumental in the acquittal of an obscure and innocent individual. The emotions which he then felt were no less sincere than impressive; but if there was a deficiency of talent on his part, it was his lot to have been very ably supported by his learned and ingenious friend, Mr. Gibbs.

In explanation of the law of treason Mr. Erskine referred to the same authorities of Hale and Foster as he did on the trial of Mr. Hardy. He then endeavoured to explain the difference of opinion between him and the Attorney General, on the construction of the law. The Attorney General confessed, that to constitute the crime of high treason, it was necessary that the guilt should exist in the mind, and the evidence he adduced was meant to prove this intent by the overt acts, disclaiming any recourse to constructive accumulation, or any other kind of treason.

The charge against the prisoner was by overt acts, attempting to overthrow the King's Government by force, and thus conspiring his death. But before they could convict him of such offence they must be satisfied that force was to have been employed. Upon this point he cited the authority of Hale—that, when a man conspires the death

death of the King or his imprisonment, to gather company, or send letters in execution thereof, is an overt act of high treason: But the overt act itself was not high treason. It could go no farther than to prove the treasonable intention.

In the present case, the Attorney General had done all that he was entitled to do, and could prove no more than what was already before the Jury; yet there was not the slightest evidence of any design being formed against the King's person, however the proceedings may be thought to operate against the Government; and upon that ground, he must insist that the proof most completely failed. The Convention at Edinburgh, which was the great ground-work of the charge, was evidently assembled for the purpose of deliberating on the means of reforming the abuses in Government, and the representation of the People in Parliament, without the least intention of accomplishing the object by force.

He was happy, on this occasion, to have that authority, which of all others was most desirable, namely, that of the Lord Chief Justice Eyre himself, in his charge to the Grand Jury, to shew that, whether the proceedings of the societies or the convention led to the death of his Majesty or not, was not a matter of inference but a matter of fact, upon which the Jury was to decide. Nothing in the proceedings or publications of either breathed any such tendency; and the same learned Judge had told them, that no man was justifiable in applying to the language of another any other meaning than that which he professed.

By the statute of 25 Edward III. it was expressly provided, that no matter of implication should go to a jury on a charge of this nature,  
but



but that the prisoner must be provably attainted. He would then ask what were the proofs brought in support of this prosecution? Lord Hale said, that such charges should not be made out by inference or stretches of wit; neither would he attempt to defend his client by wit, if he possessed any. Before so grave a bench, and on so solemn an occasion, all appearance of levity would be indecorous, otherwise there was no part of this evidence which was not open to the broadest ridicule. What was become of the humane character of the British law, if the life of a subject was to depend upon evidence too light to pluck a feather from a sparrow's wing, and which would not be admissible in a law-suit respecting 10l.

If the Jury, after hearing him in the present address, should think it necessary to go into any farther evidence, he would prove to them, that Major Cartwright, a gentleman of the first character, talents, and respectability in the kingdom, was its original founder. It had for its object a Parliamentary Reform—an object, for the attainment of which, the society of the Friends of the People was since instituted—an object by which the greatest and best men of the country hoped to prevent unnecessary and ruinous wars; to remedy the abuses in the state; to prevent the increase of taxes, and guard against the profligate expenditure of our money. It was an object which the late Earl of Chatham always had at heart, and which formed a leading feature of his character.

The Duke of Richmond, whose authority in the country was deservedly high, and who was a man not to be suspected of taking up opinions on light or trivial grounds, had not only expressed himself an advocate for a radical Reform in the Representation,

Representation, but published a letter, in which he declares it to be indispensable, and asserts the inherent right of the people to enforce it. These opinions, taken up so deliberately, and so generally circulated with such prodigious effect, that nobleman must, no doubt, still entertain, however inopportunately he may think the present moment to be for acting upon them.

He differed much from the noble Duke respecting Universal Suffrage; but there were many who held different sentiments. The noble Duke vindicated the Right of the People, to enforce the principle of Universal Suffrage; and the crown lawyers of the day never brought him to an account for it. Mr. Tooke was an advocate for a Parliamentary Reform upon a much more moderate plan, and yet his blood is called for, while the Duke of Richmond is not thought to have offended.

Mr. Erskine made several very judicious remarks, which, for poignancy and truth, were by the impartial universally felt; nor did he spare the spies whom he lashed with just severity. He was relieved by Mr. Gibbs.—On the fourth day Mr. Tooke began his evidence.

The first witness called was Major Cartwright, who was examined by Mr. Erskine.

The Major said, he had been a member of the Society for Constitutional Information from its first institution. One of the first members was Dr. Jebb, &c. although they had been pleased to consider him as the Father of the Society. The object of that association was, to enlighten the minds of the public with respect to the nature of their just rights, to obtain a radical reform in the House  
of

of Commons, and to recover certain rights which they conceived had been lost by the people.

Major Cartwright, after relating what he understood to be the great object of the Constitutional Society, namely, a radical reform in the Commons House of Parliament, said, the society had never, to his knowledge, departed from that original object. He was a member of the society to that hour, and declared, upon his oath, that they had never changed that object. He had known the prisoner at the bar about sixteen years; and his knowledge of him had been very intimate. Mr. Tooke always appeared to him, from the conversations he had with him, to be a steady, firm, and inflexible friend to the reform of the House of Commons. That reform was the plan he then held in his hand (the Duke of Richmond's letter)

Mr. Fox was then called, who deposed, that he remembered to have seen Mr. Tooke at a meeting at the Thatched House Tavern, he believed, in the year 1785, very soon after Mr. Pitt had brought forward his motion for a reform in Parliament. Upon being asked whether Mr. Horne Tooke supported a motion proposed in that meeting to give thanks to Mr. Pitt, for his conduct with respect to the question of a Parliamentary Reform, he said, that his recollection at this distance of time, went rather to the substance of what had passed at the meetings, than to the mode in which the proceedings were conducted. Mr. Horne Tooke supported the motion approving of the specific plan of Reform brought forward by Mr. Pitt, which some other gentlemen, who were present as well as himself, declined as improper.

Mr. Francis and the Duke of Richmond were next examined.

Mr.

Mr. Tooke observed, that the indictment charged him with an intent to depose the King by force of arms, with divers pamphlets, books, papers, &c. He was therefore of opinion that any book which he had written and acknowledged, was as clear an indication of his mind as any papers produced by others, that got them from some who received them from others. The book he wished to bring forward was one which he wrote in answer to the Duke of Richmond's Letter, printed by Debrett.

Mr. Debrett was called, but did not appear; the Attorney General suggested that the book could not be given in evidence.

Mr. Erskine contended that the prisoner's was a clear proposition, which the Court could not resist without departing from its character for justice and consistency. It was evidence, which he persisted, could not be shut out. It was certainly fair to produce his pamphlet, to rebut what had been said of his being an advocate for the plan urged with so much zeal and ability by the Duke of Richmond. The Chief Justice agreed on the point, that he, who undertakes to make out a proposition for a man, which he does not acknowledge, must make it out clearly. If treason is said to be in his mind, it is considered as an overt act of the manifestation of treason, and of course he has a right to rebut such evidence.

The Right Hon. William Pitt was next examined by Mr. Tooke.

A letter being put into his hand, Mr. Tooke asked him, if that letter was his hand writing? After looking at it, he answered, that it was.

Lord Chief Justice Eyre asked, what the letter was? Mr. Erskine replied, that it related to the importance of the Parliamentary Reform.



The Judge asked, what connection that letter had with this case? Mr. Tooke said, that letter had the same connection with this case, that the Duke of Richmond's letter had with the case of Hardy.

His Lordship observed, that the Duke of Richmond's letter applied to the case of Hardy, because Hardy professed to follow the Duke of Richmond's plan of Reform, opened by Mr. Pitt in the House of Commons, and of which a meeting, according to Mr. Fox's evidence, was called at the Thatched House Tavern, it would have been very proper evidence, because Mr. Tooke attended that meeting, and approved of that plan. If Mr. Tooke could shew that he ever acted on that paper, he might produce it.

Mr. Tooke said, he had never followed any other plan of Parliamentary Reform, than that proposed by the Right Honourable Gentleman; namely, that which was necessary to the independence of Parliament, and the liberties of the people.

Mr. Pitt being asked, by his Lordship, to what description of persons his letter was addressed? he answered, that he could only judge from the contents of the letter, to what description of persons it was directed; and he thought he must have sent it to some person who acted as a chairman to a Westminster Committee. He recollected nothing more about that letter. He said, he recollected a meeting at the Thatched House Tavern, relative to a motion for a Parliamentary Reform, which he had made in the House of Commons, in May 1782. He could not recollect, with certainty, who were present; but, he believed, that Mr. Tooke was present.

Mr.

Mr. Tooke asked, whether he (Mr. Pitt) had not recommended, to endeavour to obtain the sense of the people throughout England, in order to be a foundation for a future application to Parliament? He had no particular recollection of recommending such a measure. So far as he could recollect, it was the general sense of the members to recommend petitions to Parliament, in the next Sessions of Parliament, with a view to reform.

Mr. Tooke hoped that his Lordship would now allow him to read Mr. Pitt's letter.

His Lordship replied, that he was as far as ever from entitling himself to read that letter.

Then your Lordship, I hope, said Mr. Tooke, will let me have it again.—The letter was returned to him.

Mr. Sheridan, the Rev. Mr. Wyvill, Mr. Maxfield, and the Lord Bishop of Gloucester, were also witnesses for the defence.

Mr. Tooke's evidence being closed, Mr. Gibbs addressed the Jury in a very able speech; the Lord Chief Justice then proceeded to his charge, recapitulating the several Addresses to the different Societies, and after a very able and impartial speech, his Lordship proceeded to observe upon the evidence produced on behalf of the prisoner, which he did with the utmost candour and impartiality, leaving no one circumstance untouched which appeared in the least favourable to him; the result of which, together with his observations on the other parts of the case, and how the whole was borne out by the evidence, was solely their important province to decide; and he doubted not but, whatever their verdict might be, it would be satisfactory, according to their consciences; and,

being so, would be to the satisfaction of their country.

The Jury, after conferring for about nine minutes, returned into Court, and gave their verdict—NOT GUILTY.

The verdict was no sooner announced by the Foreman, than it was received by almost every person in Court with acclamations, and shouts of joy and congratulation.

Mr. Tooke endeavoured, several times, to address the Jury, but in vain. As well as he could he made his grateful acknowledgments.

*The remarkable Trial of JOHN THELWALL,  
for High Treason.*

MR. THELWALL was called to the bar on the first of December; the Jury being sworn, Mr. Percival, on the part of the prosecution, opened the indictment, and Serjeant Adair afterwards addressed the Jury, having stated the law, on the subject, he entered at large, and in detail upon the evidence, written and parole, as it tends to establish the general fact of a conspiracy to subvert the Constitution, and the individual share that the prisoner had in it. In the course of which he remarked, that whatever might be the issue of the prosecution, no one could deny that there was abundant ground of suspicion for the government of the country, when the conduct of the Society became so equivocal, that common tradesmen and mechanics enquired of them, “whether they meant to rip up Monarchy by the roots, and place Democracy in its stead;” but strong as this ground

ground of suspicion was, it became multiplied in a tenfold degree, when the answer is contemplated, that was returned to that question.

He called their attention very seriously to the design formed of supporting the authority of the Convention by force of arms; and though their preparations were not great, they would probably become so, if not prevented in time. Their exercising privately and in the night, was of itself a proof that they did so for a purpose which they dared not avow. They also manifested a mischievous design, by ordering pikes to be made in Birmingham, in imitation of the method used by the people of France. It was also clear, from the time of making these preparations, that it was meant by these means to arm and support the intended Convention. It was no defence to say, that they only designed to defend themselves against violence. For by whom was that violence to be used? By the Government, evidently, which they intended to resist.

He omitted to detail what the parole testimony would be; but, when it was before them, they would, he believed, find that it fully corroborated the written evidence. They would have next to consider, whether the prisoner was included in these charges. He was an active member of the London Corresponding Society; and, in a great measure, the founder of an inferior Society in the Borough of Southwark. He trusted, that he should not be accused of acting unfairly to Mr. Thelwall, if he introduced him to the Jury by the character which he gave himself.

For this purpose, he read a letter of the 13th of January 1793, found in his pocket, and directed to a person, supposed to be in America. In  
this



this letter, he justifies himself from the charge of deserting the cause of Liberty, avows himself to be a true Republican, a Sans Culottes, &c. &c. but he also arraigns the ferocious and sanguinary proceedings in France. He also says, that he endeavoured to restore a political Debating Society in the Borough, and the Magistrates sent a number of people to cry "God save great Jolter-head," as also many other particulars.

Such was the representation made by the prisoner of himself, and the learned Serjeant commented on the various passages.

In a letter which Mr. Thelwall wrote to a friend of his at Oakham, in Rutlandshire, he explains his objects, and the danger of his designs. The letter was addressed to Citizen Jack Bell, and was accompanied by many seditious songs, speeches, resolutions, &c. some of which he avowed to be his own, and some by Mr. Horne Tooke, and others. Though so unguarded in his letters, he used more caution in the composition of his lectures; but their general tendency was to make the people dissatisfied with this Government, and its Laws.

Having thus discharged, what he conceived to be his duty, it remained for the Jury to determine on the evidence, in a cause so important to Government, and to the principles of social order. In forming that determination, they must remember, that mercy should always be consistent with that justice which they were sworn to administer. They must distinguish between this case, and that of Mr. Hardy and Mr. Tooke. Hardy was represented as a simple innocent tradesman, the instrument of others; and Mr. Tooke was defended by his known principles; and if Mr. Thelwall had

had the same defence, he would not call upon them to convict him.

Mr. M'Lean proved the seizure of some papers on the prisoner.

Mr. Adams proved, that the prisoner was a delegate from the London Corresponding Society.

On a paper being offered to be read, which was antecedent to the period Mr. Thelwall became a member, Mr. Erskine suggested, that nothing previous to that should be given in evidence.

The Lord President over-ruled the objection, as the prisoner might have acceded to a conspiracy, formed at a time when he was not a member.

The paper containing some resolutions from Manchester, and others, was then read. This was followed by several other papers.

Mr. Taylor, a surgeon, from Norwich, knew Mr. Thelwall, and became acquainted with him the latter end of 1791. He attended at St. Thomas's Hospital. Thelwall lived in the Borough at the time, and occasionally attended. Thelwall was acquainted with Mr. Cline, and was accustomed to attend some Societies for medical knowledge. He attended political Societies with Thelwall, and was present at the first meeting of the Society at the Three Tuns, in Southwark, but did not recollect the day. He rather thought it was the latter end of January, 1792.

The persons, whom he recollected to have been present were, Messrs. Favell, Russell, Gurney, and Thelwall. About 200 persons were present. Mr. Gurney made a speech of considerable length, in order to prepare the minds of the company for the formation of the Society. He spoke in general terms of the abuses of Government. Thelwall spoke also a few words. Mr. Gurney proposed,  
that

that the Society should be organized ; and moved, there should be an address to the people from the Society.—The address was the same which had been read to the Court. It was understood, that the Society was not connected with the Friends of the People, because they thought the *Outs* only wanted to get *In*. He was at a dinner of the Constitutional Society, at the Crown and Anchor, the latter end of April, 1792. Lord Semple was in the chair. Among the persons present, he recollected Messrs. Horne Tooke, Thelwall, Joyce and Kyd. He recollected some conversation ; the particulars of which he did not remember ; it was on the subject of politics. He never was present in the Borough after the first evening. He once attended a Society at the Three Kings, in Aldgate. He was at a dinner at the London Tavern, where he recollected several resolutions being passed, some speeches, and an address—could not tell who proposed it, but rather believed it was Thelwall. The address, he understood, was either to the National Convention, or to the National Assembly.

This witness was cross-examined by Mr. Gibbs and Mr. Thelwall.

Davidson, the printer, deposed, that part of the manuscript of the songs and toasts alluded to, in Thelwall's letter to Citizen Jack, was given to him to be printed by Thelwall.

On cross-examination, he said, that he had heard Thelwall say, that pen and ink must be the cannon and powder used ; and that when it was generally expected that the Police Officers would interrupt the meetings of the London Corresponding Society, Thelwall told them to submit to the law, for the law would justify them.

On

On being re-examined by Mr. Law, he declared Mr. Thelwall an orderly peaceable man.

The Counsel for the Crown then gave in evidence the proceedings of the London Corresponding Society, so far as related to the delegation of Margarot, Gerald, &c. The resolutions of the Society respecting the prosecution of Holt, for reprinting the Duke of Richmond's letter, were read. The proceedings relative to the expenditure of the finances of the Society, were next read. Also several letters.

John Gunnell was called to identify a letter, dated 2d December 1795, from Margarot and Gerald, to T. Hardy, and found amongst his papers.

J. Walsh was examined to identify a letter, signed T. Hardy, to the Norwich Society, and also found among his papers.

Among other pieces of written evidence, was a letter signed by the prisoner, and directed to Citizen Jack Whellum.

The prisoner here begged permission to ask the Rev. Mr. Williams, who was called to prove his hand-writing to the before-mentioned letter, a few questions. This being granted, the prisoner asked the witness, upon what occasion he had seen him write? the witness answered, That he married the prisoner, and saw him write his name upon that occasion.

Prisoner—My Lord, I have nothing more to ask the witness.

Mr. Timms, the messenger, was called to prove the finding the papers in the prisoner's possession at the time he had taken him into custody.

He was asked by the prisoner, if he did not go into a separate room, and make a new arrangement of his own in those papers? he said, He did



not. Mr. Thelwall said, he saw the witness go aside, as if he intended to do so.

Mr. Gurney, the Barrister, was called, and desired to state the particulars of a letter received by him from Mr. Thelwall. He had not the letter, he said, nor did he precisely recollect its contents.

In the answer which he wrote to Mr. Thelwall, he desired him not to say any thing violent at his lectures, or make any harsh observations on the Monarchy or Aristocracy of this country, but to attack Reeves's Association as much as he pleased.

George Lynam was also examined and one Taylor, who had been convicted of Bigamy, at the last Old Bailey Sessions, and sentenced to be imprisoned in Newgate for the space of a fortnight, and then discharged on paying a fine of one shilling, was next examined.

This witness, who was in the confidence of Government, produced a voluminous journal of those divisions of the London Corresponding Society, to which he had access, and stated that, on all occasions, Mr. Thelwall was an active member.

On cross examination, John Taylor stated, that he was a watch-maker by trade---that he had not done any business in that line since the year 1785---that he had frequently shifted his residence during that interval---and that he lived on a small income, he had in right of his *first* wife, who was still alive. The witness next gave an account of his motives for visiting the different divisions of the London Corresponding Society. The first meeting he attended, in order to gratify his curiosity, was at the Globe Tavern, on the 20th of January last. Struck with the novelty of the proceedings, he resolved to become a member, which he contrived to do soon after. He declared, that he attended the meetings afterwards for the ex-  
press

press purpose of collecting information of their proceedings, and reporting the result to Government.

The story of the *Game Cock*, was proved to have been written by Mr. Thelwall.

Mr. Timms, a messenger, swore, that after the apprehension of the prisoner, on the 15th of May last, and while in his custody, Mr. Thelwall declared, “If I had been a fortnight longer at liberty, I should have been surrounded by such a number of my friends, that you would have found it a difficult matter to apprehend me.”

In his cross examination by Mr. Erskine, the witness said, this declaration was made after the prisoner had undergone an examination before the Privy Council. Nobody else was present; and he thought it strange, such an unguarded expression should have escaped him.

Mr. Thelwall begged Mr. Timms to recollect, whether in an hour or two, after apprehending him, the witness did not talk rather freely on political topics, and that he (Mr. Thelwall) admonished him to drop the subject, for they might entertain themselves better by conversing on any other topics.

The witness said, Mr. Thelwall was right in part only. True it was, he said, that a conversation about politics occurred; but the admonition came from himself, and he offered Mr. Thelwall books to amuse himself, to avoid political discussions.

Here the evidence on the part of the Crown closed.

Mr. Erskine, after a pause of a few minutes, said, that he was now to address the Jury under circumstances extremely new and embarrassing.

He was called upon in a much more sudden manner than he expected, to enter upon the defence of the prisoner at the bar. But, perhaps, he should not complain of that embarrassment, as it arose from the learned Serjeant, who led the prosecution, having declined to call evidence in support of the most important part of his case. The voluminous mass of written evidence again occurred for a third time, and he had the authority of the learned Chief Justice, who presided, in saying, that a repetition of such a huge and indigested mass, increased the obscurity and confusion which at first attended it.

He then proceeded in a very able manner to confute all the objections made, and observed that of all the written evidence, the Address to France was, doubtless, he observed, the strongest; but in this, the prisoner had no concern; it was the act of Mr. Tooke, and the Constitutional Society.

In the lectures given by the prisoner, some expressions of violence and impropriety had been deposed to by Mr. Taylor; but, in this evidence, he was quite unconfirmed; and not only himself stood in the light of a spy, but had perjured himself, in order to commit felony; for it appeared that he had been guilty of bigamy; and, in obtaining the licence for a second marriage, had made oath before the Surrogate, that he was a *batchelor*. Beside, if what he deposed were true, men are not to be judged by words accidentally dropped in moments of irritation or spleen. If such were to be held binding on a man, all the intercourse and charities of social life would be destroyed; for who could acquit himself of irreverent words towards his friend, his neighbour, the government  
under

under which he lives, or even the God he adores? The arms that had been offered in proof, sunk, in the examination, to nothing. In number they were trivial; and were, from the evidence of the Crown, taken up for self-defence.

Upon the whole, it would appear, he was persuaded, that not only the object and means of the prisoner were legal, but his general language and deportment orderly and peaceable.

The plain question of fact will rest with you, Gentlemen, who will recollect that the indictment must be proved in form, as well as substance. If Government seek for credit on these prosecutions let them be content with preventive vigilance, which is, on all occasions of Government, paramount to vindictive.

The first witness examined on the part of the prisoner, was Steward Kyd, Esq. barrister at law (the gentleman who, together with Messrs. Bonney, Joyce, and Holcroft, was discharged by proclamation the preceding Monday) he said, He was a member of the London Corresponding Society; the object of which was, a Reform in the Commons House of Parliament. He well knew the prisoner, who was a zealous advocate for a Parliamentary Reform, but who had, according to the observation of the witness, conducted himself in a just and peaceable manner. The witness never had any reason to think, nor did he believe, that the prisoner ever had meditated any design to subvert the Monarchy, or compel, by force, any alteration in the Constitution.

The next witnesses were John Horne Tooke, Esq. J. A. Bonney and Captain Harwood, who believed the prisoner had no other view than a Parliamentary Reform.

A witness



A witness was then called to prove that Taylor, the informer, had sworn, in an affidavit he made in Doctors' Commons, that he was a bachelor prior to his marriage with his second wife, for which he had been convicted of bigamy. The production of this affidavit gave birth to a long argument between the Counsel as to its admissibility.

The Court were of opinion, that the shape in which the question had been put to the witness on Tuesday, did not warrant the production of this affidavit in evidence.

J. Topham was then called to invalidate the testimony of Taylor, who, he said, had formerly gone by the name of Roberts. This Taylor had denied upon his examination.

David Phillips said, he knew John Taylor, who took a lodging of the witness, under the name of Roberts; the witness never knew him by any other name; the witness saw him in Newgate, when he told him to say, in case he should be subpoenaed, that his name was Taylor, and not Roberts.

Messrs. Cline, Parkinson, Clarke, Wilton, &c. were also evidence for the prisoner.

The evidence being closed on this part. Mr. Gibbs commenced a very able speech upon the nature and force of the testimony of the witnesses. It was necessary, he said, to remind the Jury, that two former Juries had pronounced Mr. Hardy and Mr. Horne Tooke to be innocent men, and yet they had been declared to be the leading men in the very conspiracy for which the prisoner stood indicted. The evidence in support of the charge, he contended, did not apply nearly so strong to the prisoner as to the two former gentlemen, because he did not belong to the Society at the time the  
strongest

strongest measures were adopted; and yet the very proceedings that had failed to fix any guilt upon them, had been industriously brought forth again to convict the prisoner, who was a total stranger to the transaction. He concluded a speech of about twenty minutes, in reminding the Jury that the prisoner had put himself upon God and his Country for deliverance, and he felt a conviction that the Jury, who were his countrymen, would pronounce, by their verdict, his true deliverance.

The Lord President then informed the prisoner, that the time was then arrived, for him to address the Court himself, if he thought fit to exercise that privilege.

The prisoner said, that his learned Counsel had discharged their duty with such distinguished zeal and ability, that he felt it totally unnecessary to add any observation himself to what they had said in his defence.

Mr. Serjeant Adair now made his observations on the whole of the evidence, and the Lord Chief Justice having summed up the whole, the Jury retired about twelve o'clock, and at five minutes before two, they returned into Court, and pronounced a verdict—NOT GUILTY.

Mr. Thelwall rose.—After so long a trial, he said, aided by so powerful a prosecution against a poor and unconnected individual as himself, without fortune and without friends; after suffering seven months confinement in a prison, and enduring, with the pain imposed upon his body, the more excruciating tortures of the mind; and after risking not only his life but his reputation, he could not hear the verdict which was then delivered without emotions too vast for utterance, and too sublime

sublime for thought. To the Court, to the Jury, to the People, he was indebted for candour, judgment, and patience, ever memorable. Yet although he might content himself with making this acknowledgment, nor longer intrude on the attention of the Court, he conceived that he was honoured with a public trust, which was incumbent on him to discharge. He confessed, that he had acted with imprudence, and had sometimes perhaps exceeded his intentions—but he had never acted with a criminal design. Of an irritable temper, and endowed with passions, it was hardly possible for him sometimes to repress that indignation, which was purposely provoked by his accusers to draw him in a snare. It was true, that he had written that letter, which was produced against him, addressed to a friend in America---but he said, that he had not only never sent it, but that he had never read it after it was written, or he should have consumed it in the flames.---He was ashamed of the bombastic and inflated language which composed it; but, for his Lectures, as all who had attended them, except those who came in the character of spies, he said, they were calculated to support himself, by giving reasonable instruction to the people. He could have no personal enmity against his Sovereign, nor had he conceived so horrible an intent as to depose him from his Throne, or deprive him of his life. Far too from his thoughts were all treasons and conspiracies against the State, all projects of subversion, all provision of arms. Happily, he hoped, the time was arriving, or would arrive, when pikes and muskets would no longer be fabricated, and when each engine of destruction would be destroyed itself; when man would look on man as

brothers,

brothers, by one immortal parent, and an universal compact of fellowship and peace prevail. Though acquitted by the verdict of his country, however, at a seasonable time and opportunity he proposed, in moderate and lawful terms, to justify his conduct to the world.

The Chief Baron Macdonald, in words that dropped like honey from his lips, and with looks that warmed and blessed the hearts of his hearers, regretted that Mr. Thelwall had made the latter declaration, which was totally irrelevant, and not within their jurisdiction. Since he was acquitted, and acquitted too by the noblest and most public verdict of his country, he advised him to reverence those laws by which he had been justified, to respect that people to which he was returned, and to conduct himself with such propriety as should not only be satisfactory to his own conscience, but ensure him eternal honour.

Mr. Thelwall bowed, and was released.

*The Remarkable Trial, Confession and Execution of*  
PATRICK MURPHY, *for a Rape.*

**P**ATRICK MURPHY was indicted for committing a rape on the body of Isabella Mackay, an infant of eight years of age.

Ann Mackay, the parent of the child, deposed that she knew the prisoner perfectly well; that he was porter to Mr. Riley, of whom she had a house; that being engaged as servant to a lady, she, by permission of Mr. Riley, sent three of her children to a vacant house of his in Great Portland-street, under the care of Mary Wade, in which house the prisoner was employed; that they re-



mained in it three weeks, at the end of which time her daughter Isabella came home, and made complaints, which discovered the cause they arose from.

After considerable arguments between the prisoner's Counsel and the Bench, as to the admissibility of the child's evidence, she not fully comprehending the obligation of an oath, the Jury determined to hear the child, and then conclude what weight the tenor of its evidence deserved.

Isabella Mackay, between seven and eight years old, knew the prisoner at the bar, and deposed, that about three weeks ago he treated her very ill; that she went to fetch her brother down stairs; that the prisoner talked very improperly, and pushed him out of the room; then put too all the shutters of the windows, and forced her on a sofa, and hurt her exceedingly; he then let her go down stairs, and gave her a halfpenny, saying, if she told, he would let her mother know she bid him do so. On the next day he again turned her brother out of the room, and talked in the same manner as before, and proceeded to treat her with the most brutal indecency, and again declared, if she told her mother, he would say she bid him to do so.

Mr. John Andrews, a surgeon, who examined the child at Bow street, deposed, that it had every symptom of a bad complaint.

In consequence of the cross-examination, Mr. Justice Rooke pointed out to the Jury, that this case was not to be considered as between parties in a state of puberty, but constituted a capital offence, from its being committed upon a child under ten years of age.

The learned Judge, after summing up the whole,  
with

with the utmost impartiality, laid down to the Jury the law of ravishment of a child under the age of ten years ; which was, that at so young a period the child could not in law consent to the act ; and that she being under the protection of the law, the act of lewdness with her was a capital offence.

The Jury found their verdict---*Guilty, Death.*

The Judge in passing sentence on him, remarked the heinousness and the brutality of his offence, and strongly recommended to him a good and proper use of his few remaining days.

At the place of execution he behaved with the greatest propriety for one in his unhappy situation. He suffered before the debtors' door at the Old Bailey, on Thursday, January 29, 1795. A little before he was executed, he addressed the spectators in the following words :

“ Behold a poor miserable sinner on the verge of the grave, and on the brink of eternity, hurried thither by the violence of his unbridled passions.

“ Maddened by lust, I so far forgot the dignity of man, as to violate an infant no more than eight years of age. When you reflect with horror on my monstrous wickedness, O beware of the same fatal snare into which I have fallen ; subdue the first impulse of unlawful and unnatural desire, or you, like me, may curse your brutal lust, and suffer an ignominious death.

“ Pray for my soul O good people, that it may be snatched as a brand out of the fire.”

*The Lives, Execution, &c. of JOSEPH STRUTT, for Rioting, and FRANCIS ROSS, for Forgery.*

JOSEPH STRUTT was found guilty of being principally concerned in a Riot at Charing Cross, occasioned by a mob collected together to revenge themselves on those abominable miscreants who then swarmed in the metropolis, called Crimps, who occupied a house for that purpose in Charing Cross.

Notwithstanding the motive which first excited the populace, was laudable and natural, still the mode of proceeding cannot by any means be justified; as nothing is more dangerous than collecting a mob, as it is impossible to direct their aim properly to the object of their just indignation and revenge; nor is there any telling when their operations will end, or what dreadful convulsions they may produce, as past experience has fully proved.

But it is not so much the natural impulse of revenge that is to be dreaded, as that alone might produce beneficial purposes, by putting a stop to the practice complained of; but it is the introduction of improper persons, whose views are directly contrary to those by which the populace are actuated, having for their object confusion and plunder. Of this latter description appears to be the noted Joseph Strutt, who suffered for his offences.

This singular character has long been known in London, for the variety of his depredations on the public. He was born in the year 1764, in St. Giles's, of poor but honest and industrious parents, who gave him the best education their small

small means could afford; but the narrowness of his parent's fortune could not set bounds to the genius of their son, who aspiring above the humble sphere of his birth, without the necessary supply of money, formed at an early period of his life, a connection that ended in his ruin.

Before he was fourteen years of age, he was a member of the famous Golden Lane Gang; it was also about this time he got connected with the celebrated barrow-girl, commonly called Saucy Nan, with whom he lived for upwards of seven years, when a dispute arose concerning a child of which she was delivered, and of which she asserted Joe was the father; but he having just cause for jealousy, rejected it with disdain, and swore he would be its death: whether he fulfilled his oath we cannot say, but the infant disappeared in a few days, and Joe and Nan parted in consequence.

Since that period he practised a number of ingenious devices on the public, and always with success: he used to boast himself the cleanest pick-pocket in town; and would frequently from the fruits of one night's performance, procure sufficient to maintain himself genteelly for six months or more, by which economy he was less exposed to detection than the generality of the light-fingered tribe, till the unlucky chance of his getting into the mob at Charing Cross, he was arrested in his career, being taken up as ringleader of the riot, committed to Newgate, tried and condemned.

It should not be omitted, that just before his apprehension, he married a deserving young woman, on whom he imposed himself as a merchant's clerk; he has now left her with child, to deplore her



her own wretched mistake, and his miserable and shameful end.

The following is a copy of a letter he sent her from the cells of Newgate.

“ Dear Betsey,

“ Pierced to the heart with the deepest remorse and sorrow, for having deluded your innocent heart, I dare not ask your forgiveness—yet I cannot die without it. Is it possible, my dearest Betsey, that you can grant it.

“ I know great is the injury I have done you, accumulated misery and shame have I brought upon you, and no means of atonement for me to make; but while I have life my fervent prayer shall be for your future happiness! And, O! my dear, could I believe you would forgive me, and pray for me, I should die happy, for the prayer of the righteous prevaieth much.

“ Your unhappy husband,

“ Till death,

“ JOS. STRUTT.

*Newgate, Jan. 28.*

Strutt suffered with Patrick Murphy, and at the same time was executed Francis Ross, for forgery. Ross was formerly a waiter at a celebrated inn in the county of Surry, which situation he was obliged to leave on account of a bastard child; he soon afterwards got the place of a principal waiter at an inn in Holborn, where he for some time conducted himself with the greatest propriety, so as to gain the esteem of all to whom he was known; but about this time he became acquainted with an unfortunate female, a girl of the town, with whom he cohabited for some time, till her extravagance led him to seek unlawful  
sources

sources to supply her wants : he accordingly first began with trifling frauds, which his situation enabled him to commit without detection ; but suspicion having arose, by some silver plate being missed, and some circumstances appearing rather against Ross, he thought proper to decamp, which was considered as a certain proof of his guilt.—He had long left his place in Holborn, before he committed the forgery for which he suffered.

The following is a copy of a letter which he wrote to the above female the night before his execution.

“ My dearest Life,

“ This, with my firmest love and tender affection for you ; but now all hopes of happiness are lost ; an untimely fate will soon put an end to my life. Pray, my dear, dont let the thoughts of my unhappy fate be a long trouble to you ; that God may be your guide and comfort, is the constant prayer of your dying lover,

“ FRAN. ROSS:

“ Farewel, my dear Maria.”

During the time he remained under sentence of death in Newgate, he constantly and solemnly denied his having committed the forgery, in hopes of obtaining a reprieve ; but when he found those hopes were fled, he made a full and public confession of his guilt.

The following is his public confession before the Ordinary of Newgate, and the congregation, assembled to hear the condemned sermon.

“ Dear Friends.

“ Notwithstanding I have hitherto so solemnly denied the charge of which I have been convicted,  
from

from the flattering hopes of a reprieve, I now confess, before God and man, I stand guilty not only of the offence for which I am going to suffer, but also of divers other forgeries and frauds, for which I cannot make restitution. I ask forgiveness of the Almighty, whose laws I have violated, and of my fellow creatures whom I have injured."

How melancholy it is to find that Satan so often triumphs over the heart: for the sake of happiness, both here and hereafter, we should day and night implore divine Providence not to suffer us to be led into temptation!

*The Remarkable Trial of* JAMES GEORGE LISLE, *alias* MAJOR SEMPLE, *for Stealing.*

ON the 18th of February, 1795, the Session at the Old Bailey was opened by Mr. Justice Buller, Mr. Justice Ashhurst, Baron Thompson, the Recorder, &c.

Major Semple was indicted by the names of James George Lisle, alias Semple, for stealing in the shop of Mr. Wattleworth, in Wigmore-street, one yard of muslin, two yards of callico, and one linen shirt. — Todd, servant to Mr. Wattleworth, gave in evidence, that the prisoner came into their shop about noon on the 10th of November, and shewing two patterns, one of muslin and the other of callico, said he wanted them matched for Mrs. Coningham, of Egham-green; they had not exactly the same pattern as the muslin; but he chose one, and a yard being cut off, and two yards of callico, he said he would give them

them to the lady's servant, who was at the door, and calling in a man, gave them to him. He then asked if Mr. Wattleworth was at home, saying, he wanted some shirts; as he was shewing him some, Mr. Wattleworth came in, on which the witness left them together, but afterwards came and took his name as Lieutenant Colonel Lisle, which he entered in a book, and reading that as well as Mrs. Coningham's, at Egham-green, to whom the muslin and callico was set down, the prisoner replied, it was very right.

Mr. Wattleworth confirmed Todd's testimony, as to his coming in while he was serving the prisoner, and then said, that the Major stated himself to have just arrived from the Continent, and that he should want a quantity of shirts, and wished to take one with him to consult his sister, who, he thought, would be a better judge of the linen than he was; that he would bring it back in the morning, and then give his order. This sister he called Coningham, and as the witness had a customer of that name, he made no hesitation, but gave him the shirt under those conditions. This happened in November; but he never saw the prisoner again until January, when he was in custody in Bow-street.

In his cross-examination, he admitted, that he had credited a Mrs. Coningham for the muslin and callico; but that he had afterwards made every enquiry at Egham, without being able to find that any such person lived there. He also admitted, that after the Major was in custody, some person came and asked him if the articles were paid for or returned, whether he would forbear appearing against the prisoner; but he would not say by whose authority that person came.



This was the whole of the case, and the Counsel for the prisoner contended that they had not made out the charge of the felony, the evidence, if true, amounting only to that of obtaining goods under false pretences; for they had even admitted they gave credit to Mrs. Coningham for the muslin and callico; and as for the shirt, it appeared he had been trusted with that, and it remained for the Jury to be convinced he had an intention of not returning it at the time he was so trusted, before they could convict him.

Mr. Justice Buller, who tried the cause, admitted the Counsel was perfectly right as to the callico and muslin, for it had been repeatedly so decided in various cases by the whole of the Judges; but he did not agree with him in respect to the shirt, and, therefore, should leave it to the Jury.

The Major being called upon for his defence, begged permission to read a few words he had put to paper, fearful his embarrassed situation might otherwise prevent him from saying what he wished. This paper stated, that he did not mean to deny he had unfortunately been in that place before; but some of the public prints had so misrepresented facts, that he had reason to fear the minds of the public might be so far prejudiced against him as to suppose he had spent his whole life in making depredations. To prove that it was not true, he begged to shew how his latter time had been passed. On going abroad, he found the French engaged in a war, fighting, as he thought, for freedom; he entered their service, and was soon honoured with rank in their army. This, however, at much hazard, he quitted, on their declaring war against this country, and went over

to the Austrians, with whom he for some time served as a volunteer. The commander noticing his exertions, gave him a commission of no small rank, in which he continued until he was recognized by some British officers, and it was instantly circulated through the army, that he was the convicted Semple, (he having taken upon himself the name of Lisle.) On this he was obliged to quit that service;—but still willing and desirous to serve, he went towards the Rhine, and obtained a commission under the Hereditary Prince. He had not, however, been long here, when a British officer sent to the Commandant, that he had been condemned to transportation, but without stating the time had expired. Being thus suspected of being a run away felon, he was taken into custody by the police, and confined in a prison for more than five weeks, without even the permission of pen and ink. The fact being cleared up, he was set at liberty, but not without losing his situation; he again, however, went into the field, and was twice wounded. This induced him to return home, and he sent a letter to Mr. Dundas, a copy of which he desired might be read; but the Court thinking it irrelevant, it was not admitted. He then concluded, that he had been thus persecuted, because he was Major Semple, and which had also brought him to that bar on that day upon a charge of which he was totally innocent.

Mr. Justice Buller recapitulated the evidence, and then explained the point of law, which, he said, was certainly in the prisoner's favour, as far as related to the muslin and callico; but it was not so with the shirt, for he not having bargained for that, nor any price being fixed on by the prosecutor, he could not be said to have given him

credit for it, therefore, if they were convinced he took it away intending not to return it, that, as Mr. Justice Gould had formerly explained, would be an intent to steal it, and in that case they must find him Guilty.

The Jury, after near half an hour's consideration, brought in a verdict—*Guilty of taking the shirt under false pretences.*

This, the Judge explained, was no verdict; on which, in a few minutes, they pronounced him *guilty of stealing the shirt.* Not guilty upon the charge of the muslin and callico.

James George Semple, alias Lisle, was put to the bar of the Old Bailey, on the 21st and received sentence of transportation to such parts beyond the seas as his Majesty, with the advice of his Privy Council shall think fit. The Major was dressed in his uniform. After the sentence he bowed very respectfully, but did not speak, and appeared to be perfectly reconciled to his fate. Here closes the career of a man whose talents and personal courage might have rendered him an ornament to society, had he trod in the steps of virtue and honour.

The following Lines written by this extraordinary character, were addressed to a young Lady of Richmond, in Yorkshire, to whom he was to have been married, but a gentleman, from London, knowing the Major's person, waited on the parents of the lady, and, as may be supposed, prevented any further intimacy between the parties.

For ever, O! merciless fair,  
Will that cruel indiff'rence endure;  
Can those eyes look me into despair,  
And that heart be unwilling to cure?

How

How oft what I felt, to disguise  
Has my reason imperiously strove,  
Till my soul almost fell from my eyes,  
In the tears of the tend'rest love.

Then Delia determine my fate,  
Nor let me to madness be drove,  
But O! do not tell me you hate,  
If you even resolve not to love.

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*Execution, &c. of STEPHEN WATSON for the  
Murder of his Wife, and WILLIAM BEN-  
NINGTON, for the Murder of his Master.*

STEPHEN WATSON, having been capitally convicted of the wilful murder of Elizabeth Watson, his wife, at West Bredenham, and William Bennington of the wilful murder of Mr. John Filbee, farmer, of West Dereham, with whom he had lived a servant, received sentence of death, according to form, they were tried on a Monday and executed the Wednesday following.

Perhaps a more hardened villain never appeared in a Court of Justice than Watson, and the cruelties he inflicted upon the poor unfortunate woman his wife, who had only been brought to bed a week when she died, in consequence of his barbarous usage were such as excited general horror.

Bennington appeared to be truly penitent, and sensible of his awful situation; he made a very ample confession of the fact, which was read in court, wherein he said that he killed his master by striking him violently with a pitchfork whilst in the stable, and that he afterwards buried him in the yard; he acknowledged to have had criminal connections



connections with his mistress, but declared she was no ways accessory to the murder.

The bodies of Watson and Bennington were hung in chains, near the places where they committed the facts.

They suffered on the 1st of April, 1795.

Such is the deadly sin of murder, that when committed it calls loudly for vengeance—the first murderer was *marked* by heaven, and agreeable to the divine will, blood for blood is demanded. That it is a sin the most heinous in the sight of God is evident from its being so very seldom capable of concealment.

*A particular Account of the Trial, &c. of MATTHEW DUNN, for the Murder of a Watchman, who was executed at the Corner of Carter-lane, Pauls' Chain.*

**M**ATTHEW DUNN was indicted for the wilful murder of Thomas Price, a watchman of Castle Baynard Ward, on the 3d of February, 1795, between the hours of twelve and one. The prisoner desired the witnesses might be examined separately.

Richard Fitzgerald, one of the patrols, was the first witness; his evidence was in brief—at that time he was in Sermon-lane, with another watchman, and they heard a cry of murder. They went to the house of Mrs. Harvey, whose door was open; they entered, and gave her a light: she said she had candles above stairs, but Dunn will murder me if I go up, he has a loaded pistol: a little girl answered, he has got two loaded pistols and a gun. The witness withdrew, and  
the

the prisoner ran down stairs and followed him with a pistol, and swore he would blow his bloody head off: the witness turned round and asked why? I am a servant of the ward, and have done you no harm; go home about your business! The prisoner swore he would blow the brains out of the first watchman he met. The witness sprung a rattle, upon which the prisoner returned; shortly afterwards he heard a pistol go off. When he got round in his beat to the house again, there were several watchmen collected, and he saw a firelock projected out of the window; the witness directed the watchmen to go about their business, and go no more to that house. Shortly afterwards the prisoner again came down, and the witness saw him in Little Carter-lane, with two pistols, calling out watch, watch, where are you, ye thieves? A spare watchmen came up, and the prisoner swore he would blow his brains out; the man begged he would not; the prisoner desisted, but shortly afterwards fired a pistol in a wanton manner; that was all he knew.

George Pudner, another watchman.---He confirmed all the circumstances sworn to by the other witnesses; and added, that when it was near two, he and Price (the deceased) said, what had we best to do? the prisoner came up again, and swore he would blow the bloody watchman's brains out; the witness ran into the King's Head-passage and put out his candle, and he escaped. When he came out of the passage, he saw the prisoner with a gun in his hand; at that moment the deceased, Mr. Crickett, and Mr. Green came up; as they drew nigh, the prisoner levelled his piece, and fired. Price instantly dropped, he saw his coat

on fire, and he ran to stop it when the blood sprung out; he was dead in three or four minutes.

Mr. Knowles in defence attempted to prove, that he was at times mad, and that he was particularly so on that night. He called the prisoner's brother and cousin, with Mrs. Harvey, his reputed wife, who gave a very confused evidence, that he was sometimes dull and stupid at his work.

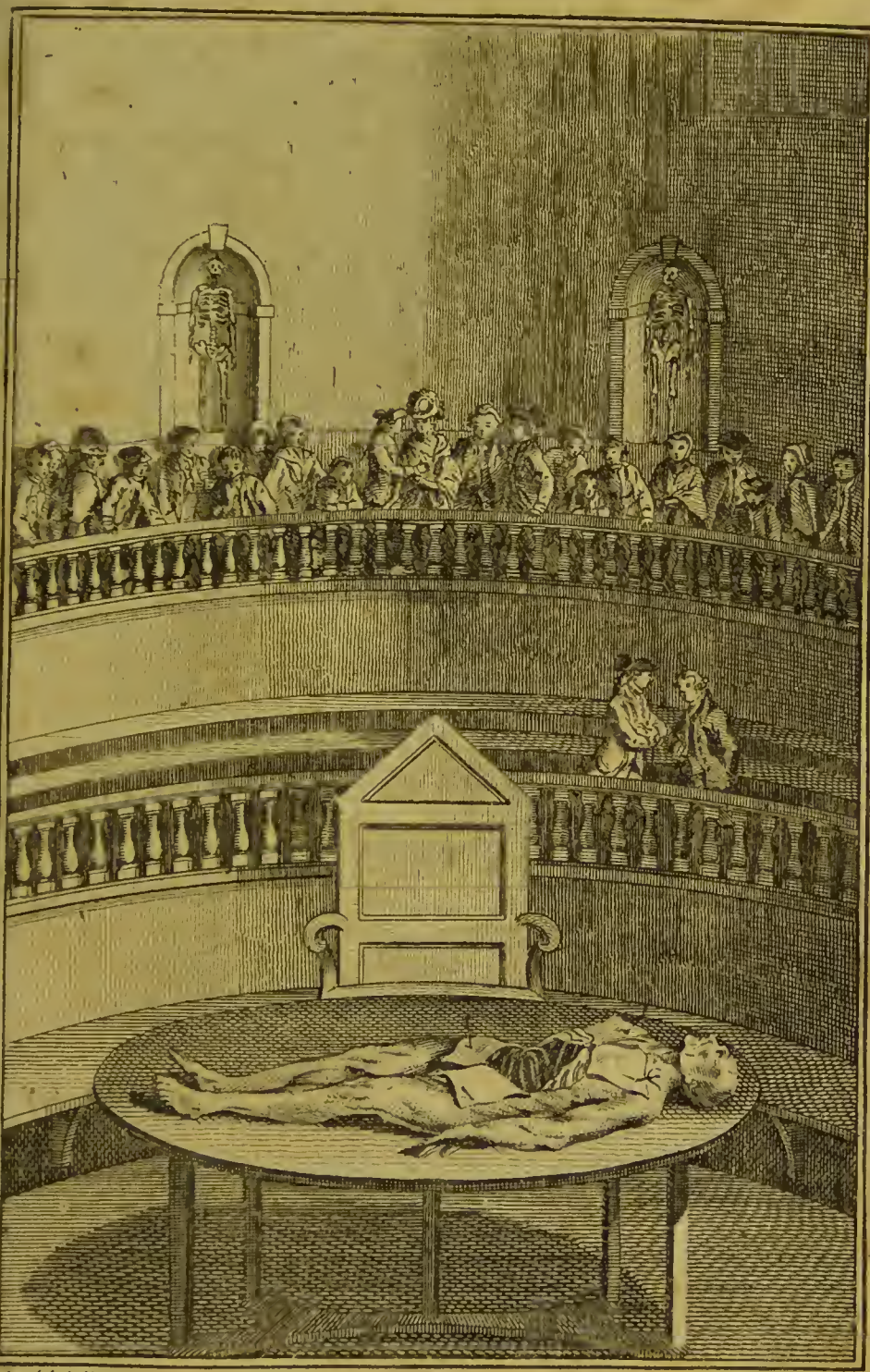
Lord Kenyon having finished his charge, the Jury retired five minutes, and found a verdict--Guilty Death.

The Recorder immediately pronounced sentence of death, to be hanged on the following Monday, then his body to be anatomized. He desired him to prepare for an awful eternity, as it was impossible to expect mercy. He concluded, "and may Almighty God have mercy upon your soul."

On the 20th of April, pursuant to his sentence, this unfortunate man was brought out of Newgate, and being seated in a kind of chair on an elevated platform, covered with black, in a cart, attended by the proper officers, was conveyed in solemn procession along Newgate-street, and down the Old Change to the corner of Pauls' Chain, near to the spot where the murder was committed. Being arrived at the place of execution, after about twenty minutes spent in prayer, he was turned off. He conducted himself with great propriety; and after hanging the usual time, the body was conveyed to Surgeons-hall for dissection.

To what sin and unwarrantable measures will a man's passions often drive him---there is nothing so dangerous as an ungovernable temper---for as the wise man says---"An angry man who can abide."





*Do dd delins? White newlps?*  
The Body of a MURDERER exposed in the Theatre  
of the Surgeons Hall, Old Bailey.





*The remarkable Trial of the Rev. Mr. JACKSON, at Dublin, for High Treason, with a full Account of his extraordinary Death.*

ON the 23d of April at eleven o'clock, the Reverend Mr. Jackson was brought to the bar to take his trial for High Treason. The indictment charged the prisoner with two species of treason, namely, compassing the King's death, and adhering to his enemies; and stated fourteen overt acts.

The Attorney General opened the prosecution on the part of the crown; and having dwelt at some length on the doctrine of treason, proceeded to substantiate the charges laid in the indictment; for which purpose he called,

Mr. Cockayne, an attorney of London, who deposed, that he had been for a series of years the law-agent and intimate friend of Mr. Jackson, who, a few years since went to France (as the witness understood) to transact some private business for Mr. Pitt, where he resided a considerable time. Soon after his return, Mr. Cockayne said, he called on him, and told him in confidence, that he had formed a design of going to Ireland, to sound the people, for the purpose of procuring a supply of provisions, &c. from them for the French, and requested him (the witness) to accompany him. Having accepted the invitation, he immediately waited on Mr. Pitt, and discovered to him the whole of Mr. Jackson's plans. The Minister thanked him for the information; and hinted, that as the matter was to become a subject of legal investigation, it would be necessary for him to substantiate the allegations; but this Mr. Cockayne wished to decline, on the principle

that, if the prisoner should be convicted of high treason he should lose by it 300*l.* in which sum he then was indebted to him. This objection was soon removed by Mr. Pitt agreeing to pay him the money, provided he would prosecute to conviction; and the witness accompanied Mr. Jackson to Ireland, for the purpose of making himself acquainted with his proceedings. Shortly after their arrival in Dublin, where they lived together, the prisoner expressed a wish to be introduced to Mr. Hamilton Rowan, who was then confined in Newgate; and at length, through the interference of a friend, he obtained an interview, at which Mr. Cockayne was present. In the course of conversation, the prisoner delivered two papers to Mr. Rowan, for the purpose of convincing him that he was a person in whom he might confide. From that time an intimacy took place between them; the witness always accompanied Mr. Jackson in his visits to Mr. Rowan, and constantly took a part in their conversation. They agreed, he said, that a person should be sent to France to procure a force to make a descent on Ireland, and Counsellor Wolfe Tone was mentioned as a fit person for that purpose, who at first appeared to acquiesce, but afterwards declined the office. Dr. Reynolds was then proposed by Mr. Rowan, but objected to by the prisoner, as he did not understand the French language. It was, however, at length agreed the Doctor should take the embassy; but in a short time he also refused to enter into the business. On this it was agreed that Mr. Jackson should write several letters, which was directed for a Mr. Stone, of the firm of Lawrence and Co. London. These contained inclosures for houses at Ham-  
burgh and Amsterdam; and some of them to the French agents, described the situation of Ireland

at the time, invited an invasion, and pointed out the proper places to land. These letters having been sent to the post office, the witnesses went to the secretary, and informed him of the subject of them, on which they were detained. The plot matured thus far, having been discovered, the prisoner was taken into custody.

Such is the substance of the examination and cross-examination of Mr. Cockayne, which, together with the documentary proofs alluded to, were the only evidence adduced. He appeared very much agitated and confused throughout the whole of the investigation.

Mr. Curran and Mr. Ponsonby exerted their well-known abilities in behalf of the prisoner. The former spoke at much length. He treated the conduct of Mr. Cockayne as extremely suspicious; and, from the pecuniary temptation thrown in his way to act the part he had done in the business, suggested to the Jury that his evidence was entitled to very little credit.

The Prime Serjeant replied.

Lord Chief Justice Clonmel delivered a very able and impartial charge to the Jury, who retired at forty-five minutes after three in the morning, and at half past four brought in a verdict---Guilty---but recommended the prisoner to mercy.

The Chief Justice enquired of the Jury if they had any doubts on their minds, that led them to such recommendation?---The foreman answered immediately, "No my Lord."

The Judges Clonmel, Boyd, and Chamberlain consulted for a few moments. The Chief Justice then addressed the Jury, "Gentlemen, you have acquitted yourselves with honour, and a consci-



entious regard for justice. It is more than a century since this land has been cursed with such a crime, and we trust your verdict will operate in preventing a repetition of it. Your recommendation shall be laid before government.

Mr. Jackson heard the verdict with much apparent composure. He was remanded to prison, and was expected to receive the sentence of the law on the following Wednesday.

[The Jury would, in all probability, have acquitted the prisoner, had he not inadvertently acknowledged the letters (which Mr. Cockayne swore to be his hand-writing) by explaining some mysterious passages in them. The witness's agreement with Mr. Pitt would otherwise, it is said, have invalidated his evidence.]

The Jury were---Mr. Alderman Exshaw, Messrs. Pentland, Cranfield, Humphrey, Cowan, Simon, Oldham, Donovan, Ward, Forster, Smith, and Hodgson.

The trial lasted seventeen hours and a half.

On his being brought into court to receive judgment on the 30th of April, the clerk of the crown having read the indictment against the prisoner, and the conviction thereon, and asked him the usual question---what he had to say why judgment of death should not be passed upon him? Mr. Curran prayed that the caption of the indictment might be read, which being done, he objected that the court could not proceed to pass judgment, inasmuch as the copy of the caption of the indictment had not been served on the prisoner; and that the names of the grand jurors who found the bill of indictment were not set out in the record, and inasmuch as it did not appear what such grand jurors were sworn to do.

Mr.

Mr. Ponsonby spoke to the same point.

The Attorney General said, that, if there was any objection on the part of the prisoner, going to the legality of finding the indictment, or to the competence of any of the grand jury, who found the bill of indictment against the prisoner, or even to the sheriff, who impannelled the grand jury, it should be made before he pleaded to the indictment.

It being intimated to the court that the prisoner at this time appeared to be in a very dangerous situation, in point of bodily weakness, having some time before, and, from his first being brought into court, appeared to be uncommonly agitated.

The court ordered, that if any medical gentlemen were present, they should examine into the situation of the prisoner, and report their opinion thereon.

Doctor Waite, who was in the county jury-box, went down to the dock, and after examining the prisoner, reported that he was in a sinking situation, and had every appearance of going off.

Mr. Kingsley, druggist, who said he was bred an apothecary, also examined the prisoner, reported that he was dying, and had every symptom of death upon him.

On this the court ordered that the prisoner should be remanded until further orders; but, in a few moments, the unfortunate man expired in the dock. The court immediately adjourned.

The Coroners Inquest was held the next day, when surgeons Hume and Adrian opened the body, and deposed he died in consequence of having taken some acrid substance, but they could not tell what. His bowels and chest were greatly inflamed. In his pocket was an handkerchief, one  
of

of his pamphlets, and a very elegant short prayer, written by himself, praying to God to deliver him from his enemies, *who were very great and violent*. In a little box, left in the jail, was only a miniature of his wife, and a letter from Mr. Ponsonby. He was brought up in irons, but very light and nearly made for him.

It is in our power to give many particulars of the life and conduct of this unfortunate man, but as we disdain to extenuate the errors, even of the dead, even by a deviation from truth, and still more pointedly disdain the conduct of those who with a shameless disregard of decency, anterior to the knowledge of the fate of this wretched sufferer, while the glow of charity and mercy might yet have been of use to him, raked up every disgraceful incident of his chequered life, and gibbeted his reputation at a time when his person was the devoted victim of public justice undoubtedly, but sacrificed on the altar of duplicity and dissimulation. We shall content ourselves with mentioning no more than a few particulars, merely to distinguish him in the memory of our Readers.

Mr. Jackson was a native of Ireland, and early in life a preacher at Tavistock-chapel. The emoluments of his clerical occupation not affording him sufficient subsistence, he applied his talents to literature, and was, for a considerable time, editor of a newspaper, in which situation he made himself very conspicuous: he took a decided part in the quarrel between the Dukes of Kingston and Mr. Foote, in which he is blamed for treating the comedian with too much asperity. We will not enter into the merits of this quarrel, in which we believe all parties to have been to blame, but cannot think Mr. Jackson so culpable as the person

person against whom he distinguished himself who, certainly made an attack of the most atrocious nature on the property of a woman, and met a counter-check such as we ever wish to repel such attempts.

From that time, until the unfortunate catastrophe which ended his days, little occurred to interest the curiosity of the public. He was a sharer in the silly and disastrous speculation, the Royalty Theatre, and was obliged, for a considerable time, to abscond on account of the pecuniary difficulties in which it involved him.

How he came so connected as to be involved in the criminal conspiracy which brought on his untimely end, we know not. With respect to his sudden death, many different conjectures prevail; on the subject, that "poison was his timeless end" no one doubts; but whether it was administered by his own hand, or by that of some guilty associate that dreaded some disclosure, in the nature of those made by Watt at Edinburgh, is not quite so clear.

At all events, whether his days were terminated by *suicide* or *treachery*, his fate holds out a dreadful warning to those who seek to rectify internal abuse by foreign alliance. Driven by the very nature of their plans to consult with, and depend on the secrecy of the most abandoned of mankind, they find themselves betrayed where they trust, abandoned by their friends, and their memories persecuted after the rigour of law and the wiles of perfidy were exhausted. Nor let the traitors who bring about such events exult in their cunning, though such treason as theirs may be serviceable to a state, and rewarded by statesmen, the wages of corruption present but a feeble shield against the just



just contempt, and well-founded mistrust of every man of sound principle and unfulfilled honour.

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*A full and particular Account of the Lives and Executions of John Tomlinson, Charles Porter, George Grover, and Mary Finlinton, for Robbery, and William Ball, for Forgery.*

**J**OHN TOMLINSON was found guilty of robbing Samuel Alliston on the highway near Enfield, of a metal watch, a pair of silver buckles, and about seven shillings.

Charles Porter and George Grover, were also found guilty of robbing Mr. Jacob Crowder on the highway near Edmonton, of four guineas and a half, fourteen shillings and a silver watch.

Not content with robbing Mr. Crowder, they most inhumanely beat him with their sticks, and, as they thought, deprived him of life.

Charles Porter was born of poor but honest parents, who endeavoured to bring him up with the fear of God before his eyes, But when he arrived to years of maturity, he totally neglected the good advice given him by his parents. Beginning at sabbath-breaking, which is the first road to the gallows, he proceeded step by step, till he became capable of committing any crime whatever. He acknowledged his sentence to be just, forgave his enemies, and behaved every way becoming his unhappy situation.

George Grover who was only twenty years of age, was born of creditable parents, who being too indulgent to their only son, did not strictly look to his morals, which in the end brought on a shameful death.

When

When those unhappy convicts John Tomlinson, Charles Porter and George Grove were ordered to the bar, the Recorder thus addressed them.

“ *Prisoners,*

“ You are brought by your crimes into the most lamentable and wretched state human nature can fall into: to hear that news most painful to man; to be informed of the separation that is so soon to take place between your souls and your bodies.

“ You have had fair trials, and the full benefit of the just and impartial administration of the laws subsisting in this country. By them, and by evidence, not on hearsay, not vague or uncertain, but where the witness is responsible for what he swears not only to God, but also to the laws of the kingdom; by such laws and by such evidence you were convicted, and brought into the deplorable situation you now hold, cut off from society.

“ You have now, prisoner, nothing to hope but from the grace and goodness of your Sovereign, who is ever happy to extend his clemency when he can do so consistently with the interests of his subjects. But let no improper expectations from the Fountain of Royal Mercy prevent your most fervent applications to the Great Author of your Being—the Great Dispenser of Life and Death both in this world and that which is to come.”

The Recorder ended his short but elegant and pathetic speech with passing sentence in the usual forms.

Mary Finlayson was also found guilty of robbing Mr. John Gibbs, on the highway of thirty-four guineas.

This wretched woman was born of poor but honest parents, who placed her in a Charity School, where she continued for some time, she then went to service, and discharged her duty to the satisfaction of her master and mistress, but being courted by a young man who professed to have a great regard for her, she, not thinking of his base design, yielded to his wishes, and, alas! when too late, repented of what she had done. She was deserted by her lover, and discharged from service! What did she do? threw herself on the town! became bold and daring, committed several robberies, but justice, though slow, yet sure, at last overtook her.

William Ball was found guilty of forging a draft of J. Whatman and Co. for the payment of five guineas, with intent to defraud George Robinson.

After going through every necessary form, just as he was on the point of receiving the money, the fraud was discovered, he was taken into custody, committed to prison, tried, and capitally convicted.

This unhappy man had been well educated, but falling into poverty, was tempted to commit the crime for which he suffered.

These unhappy wretches were ordered for execution on April 1st, 1795.

John Tomlinson owned his sentence to be just, said he died in peace with all the world, and hoped the spectators would take warning by his untimely end, and avoid the company of lewd women.

Charles Porter and George Groter behaved with the greatest penitence, acknowledged the justice of their

their sentence, and forgave all their enemies as they hoped to be forgiven.

Mary Finlayson desired all young women to beware of pride and the flattery of men, to be honest, diligent and sober in their services, and to take warning by her untimely end.

She behaved every way becoming her wretched situation while under sentence of death, and forgave all her enemies as she hoped to be forgiven herself.

William Bail while under sentence of death behaved with penitence and resignation.---He left a wife and three helpless infants to lament his untimely end.

The night before his execution he wrote the following letter to his wife.

“ Loving Wife,

“ The most glorious sight that ever was seen on earth was our blessed Redeemer Jesus Christ, suffering a painful death upon the cross, for the salvation of such miserable sinners as I am. Yet in the midst of his agony, and with a knowledge of his greatness, he cast an eye of pity on the penitent thief who was executed by his side, and comforted him with these heavenly words,

“ This day shalt thou be with me in Paradise.

“ O, that when I am to-morrow led to my doom, the like comforting words may, by unfeigned repentance, be administered to my down-cast soul.

“ Since it is the will of the Almighty that I swallow this bitter cup of affliction, I bow with resignation to his divine pleasure.

“ Comfort yourself in the pleasing hope that we shall meet again in heaven; be a father and a



mother to my poor infants—teach them in their youth to follow the ways of righteousness and truth.

“ The Lord bless and comfort you on this trying occasion, is the dying prayer of

Your unfortunate husband,

“ W. BALL.”

The night before they suffered, the St. Sepulchre's bellman came into the press-yard at nine o'clock, and after ringing his bell pronounced the admonition verses, reminding them of their dreadful situation, and exhorting them to watch and pray, that they might obtain forgiveness of their sins.

On the fatal day when they were to undergo their dreadful but just sentence, the doors of their cells were unlocked, and they soon after went up to Chapel, where they joined in prayers and supplications to the Divine Majesty, and received the sacrament. They were then summoned to their fate, and came down into the press yard, where their irons being knocked off, they were halted and brought upon the scaffold in the Old Bailey, before the Debtors' door, April 1, 1795, pursuant to sentence; when the executioner having tied them up, the ordinary prayed with them for some time and then took his leave. The caps being pulled over their eyes the Sheriff gave a signal—the platform dropt, and they were launched into eternity. After hanging the usual time, their bodies were cut down and delivered to their friends for interment. The concourse of people assembled on this melancholy occasion were very great, and appeared much affected by the dreadful scene.

Break

Break not the sabbath, nor profane  
That great and holy day,  
For unto shameful death you see  
It first doth lead the way.

Mix not with men of wicked stamp,  
Oh shun their evil deeds;  
For bad example oft we find,  
To shame and sorrow leads !

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*Interesting Particulars of JAMES LYONS, who  
was convicted of Forgery—His escape, recommit-  
ment, &c,*

**T**HE prisoner was charged with having forged several receipts, purporting to be receipts for scrip in three per Cent. Ann. for 1793, to the amount of 16,000*l.* with intent to defraud the Bank of England.

Mr. Martin, a Stock Broker, proved, that the prisoner's sister, by the name of Mr. Donaldson, and habited in man's apparel, called on him on the 4th of November at the Stock Exchange, and gave him the receipts in question to dispose of. He sold 10,000*l.* but Donaldson neglecting to meet him the next day at the Jerusalem Coffee-house, as was appointed, he did not receive the money, and the same day, in agreeing for the sale of the remaining 6000*l.* the forgery was discovered.

Mr. Alett, an Assistant to the Chief Cashier of the Bank, proved the receipts to be forgeries.

The prisoner's sister proved, that she had been induced by her brother's assuring her that there  
was

was nothing improper intended, and by promises he made her, to attire herself in man's apparel, and under the assumed name of Donaldson to transact the business which Mr. Martin, to whom she gave the receipts produced, which she had received from the prisoner.

She added, that she was totally ignorant of the nature and purpose of the business on which she was sent, for that her brother told her, before she went, that the reason of his sending her, and requiring her to go in man's cloaths, was, that having a large sum in script to sell for Lady Bridget Tollemaché, he was well aware that if he brought it to market himself, it would be understood for whom he was selling it, and he should be prevented from getting so great a price for it as he otherwise might.

Lyons was accordingly committed to Newgate for trial, but in a short time after effected his escape. Hereupon Mr. Lavendar, the Chief Clerk at the Public-office, Bow-street, accompanied by Jealous, one of the officers belonging there, went to a house at Lomond's Pond, near the Borough, where they apprehended Mary Lyons, the sister above-mentioned.

On examination, she said, that she had no knowledge where her brother was at present; but, that, by accident, she met him on Wednesday evening, with his hair cut, seemingly with a view to disguise himself. She was carried before the Directors of the Bank, and underwent a long examination; after which she was remanded into the custody of the officers belonging to Bow-street.

Shortly after this Lyons was apprehended at Deal. The circumstances which led to the detection of Lyons were as follow: a man of shabby appearance

appearance called at the New Inn, Deal, and dined there, and after having gone out, returned and supped there. He appeared particularly anxious to remain in the house unseen, which, together with his appearing to be disguised in a wig that did not fit him, led the waiter to suspect that he had done some act which had induced him to disguise his person, and to wish to sail from thence by some outward-bound vessel. The waiter the next morning sent to the Mayor in order to relate his suspicions; and in the way thither observed some bills pasted up describing the person of Lyons, and offering 200*l.* reward for apprehending him, he was accordingly secured, and Carpmeal, from whose custody he escaped, and who was at Dover in search of him, was sent for, and identified his person; but the Mayor refusing to send him to London without a warrant from one of the Bow-street Magistrates, Carpmeal came to town and obtained a warrant to bring him, with which he returned to Deal.

On the 17th of January, 1794, Lyons was indicted, for feloniously publishing and uttering several forged script receipts for 16,000*l.* stock, 3 per cent. annuities, with intent to defraud Francis Barroneau, Esq. and the governors and company of the bank of England. In this indictment there were twelve counts, to all of which he pleaded guilty. The lord chief baron, before whom he was to have been tried, admonished the prisoner in a very pathetic manner to alter his plea, it being repugnant to the wish of that and all other criminal courts in the country, as well as diametrically opposite to the intent of the law, to convict a subject upon his own confession. His lordship



ship also apprised him of his fate, in case he did not recant, and begged him not to deceive himself in apprehending, that by such a plea there was a greater probability of mercy being shewn to him. That by pleading guilty, he probably was the cause of his own death, as there might, notwithstanding the inauspicious appearance which his case might have in his (the prisoner's) mind, be some circumstances in the course of the evidence to be brought in support of the indictment, that would in point of law prove favourable to him; which, if there was, his lordship said, he should have the benefit of. On the indictment being read over a second time, and being asked whether he was guilty of the felonies therein mentioned, he answered as before; when Mr. Garrow, counsel for the prosecution, addressed him to the same purport as the lord chief baron, but with as little effect: in consequence of which, judge Grose asked the prisoner what were his reasons for pleading guilty, after he had been advised to the contrary; to which he answered, the poignancy of his own feelings, on reflecting that his sister was the principle evidence against him. Immediately on which his counsel, Messrs. Wood and Knowles, directed him to demur to the indictment, as by so doing the determination of the case would devolve to the Judges, which he complied with.

In a few days after his demurrer came on to be argued at the Old Bailey, but the decision of it was postponed to a future day.

May, 1795, Mr. Justice Grose informed the prisoner, that it was the opinion of the Judges, that the crime which he was guilty of was not that stated in the indictment, and upon these grounds  
it

it appeared not sufficient nor a good one. The Judges were therefore agreed, that judgment should be given against the Crown.

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*The remarkable Trials of William Tilley, George Hardwick, James Hayden, John Henley, Henry Delaney, William Handland, Simon Jacobs, John Solomon, John Croffwell, Jonathan Jones, and John Phillips, for Murder and Conspiracy, including an interesting Account of Isdwell Isdwell.*

A MOST desperate attempt was made on the 4th of April, 1795, in the morning, between one and two o'clock, to rescue Isdwell Isdwell, a Jew, who stood charged with being concerned in a forgery on the Stamp Office, but who in the scuffle lost his life in the following manner:—

Isdwell, who was confined in New Prison, Clerk-enwell, persuaded two of the turnkeys that an aunt of his, who was very rich, then lay at the point of death, and that he had been informed, that, could she see him before she died, she would give him a thousand pounds; and, therefore, if they would let him out and accompany him to the place, he would give them fifty guineas each for their trouble; and that the matter might be effected without the knowledge of the keeper of the prison, or any other person, they having the keys of it at night, and the time required being very short. To this proposal the turnkeys agreed; and accordingly, about one o'clock in the morning, the gates were opened, and Isdwell, with his irons on, was conducted in a hackney coach by one of them, armed with a blunderbuss, to the place directed,

rected, which was in Artillery-lane, Bishopsgate-street, where they gained immediate admittance on ringing a bell, and, enquiring for the sick lady, were ushered up one pair of stairs. Isdwell went into the room first, on which several fellows rushed forth and attempted to keep the turnkey out, but not succeeding in that respect, they put the candles out, wrested the blunderbuss out of his hand, and discharged it at him; at this instant, it was supposed Isdwell was endeavouring to make his escape out of the door, as he received the principle part of the contents of the blunderbuss in his back, and fell dead; the turnkey also fell, one of the slugs grazed the upper part of his head; and the villains, by some means finding their mistake, though in the dark, beat him in so shocking a manner with the butt end of the blunderbuss, while he lay on the ground, as to break it to pieces, fracture his skull in two places, and bruised him dreadfully about the body; the noise which the affair occasioned, brought a number of watchmen and patrols to the house, who secured ten persons therein, mostly Jews. There is every reason to suppose that they would have completely murdered the turnkey, had not timely assistance been afforded. They were all examined on the 4th, before the above magistrate; as also the turnkeys, who related the foregoing story, and who, as well as the others, were ordered to be committed for further examination.

The plan of Isdwell's escape appeared to have been formed by the widow of the late notorious Laurence Jones, she having taken the lodgings in Artillery-lane, and though in reality aunt to Isdwell, had cohabited with him ever since her husband's death. The bed in the room where the

business

business happened, was decorated with all the paraphernalia of a sick person; a number of phials standing on an adjoining table, and to make the farce (which in the last act proved a tragedy) more perfect, the image of a woman's head, with a cap on, appeared just above the bed-cloaths.

On the 2<sup>d</sup>, William Tilley, George Hardwick, James Hayden, John Henley, Henry Delaney, William Handland, Simon Jacobs, John Solomon, and John Phillips, were tried at the Old Bailey, for the wilful murder of Isdwell Isdwell; by maliciously levelling and firing a blunderbuis at John Day. for the purpose of effecting the escape of the said Isdwell, he being committed on a charge for a capital offence. The trial lasted from eleven o'clock on Tuesday morning till past one on the next morning. The Jury went out about a quarter of an hour, and then returned a verdict of—*Not Guilty*.

They were all detained to take their trial for a conspiracy, to rescue the deceased out of the hands of justice.

On the 1<sup>st</sup>, of July, the Sessions commenced before Mt. Justice Buller, Mr. Justice Lawrence, the Recorder, &c. William Tilley, John Crosswell, Jonathan Jones, George Hardwick, James Hayden, John Handen, Henry Delaney, Simon Jacobs, John Solomon, John Phillips, and John Henley, were tried upon a charge of having assisted Isdwell Isdwell to escape from his Majesty's prison, he being in custody to be tried for a felony.

The above prisoners except Jonathan Jones and John Crosswell (the turnkey of Clerkenwell Bridewell) were the same who were tried for the murder of the said Isdwell Isdwell, and being ac-



quitted of that, were remanded to take their trial for his escape; the evidence therefore was principally the same as given in that case.

— Day, one of the turnkeys, related the story of his and Crosswell's agreeing to let Isdwell go to Artillery-lane; that Tilly and Jacobs frequently came to the prison; and on Good Friday the former said to Isdwell, that Moses Solomons (who was confined in Bridewell upon the same charge) was to be suffered to go home and keep the pass-over with his family. This had some weight in inducing the witness to consent, and at night he accompanied him to Artillery-lane, in which he met Tilly, but did not go into the house where he was so dreadfully beat, and Isdwell was shot.

Moses Solomons was a servant of Isdwell, and, as on the former trial, gave a detail of the circumstances of Jonathan Jones taking the lodging in Artillery-lane; of Isdwell's being expected that night; that the trick of a sick aunt was to be played off on the turnkey; that Isdwell did come; that most of the prisoners were there; and that after the accident, he and all the rest were taken into custody.

Mrs. Cumming, who kept the house, and a little boy, her son, proved that they had seen Hardwicke, Jacobs, and Hayden, come to Mrs. Isdwell.

Ray, Spencer, and Brummell were the persons who apprehended all the prisoners but Tilly, Jones and Crosswell, in and about the house; and they were all particularly sworn to by Day and Moses Solomons, as being in some way concerned, except Delaney, who was no otherwise identified than as being taken in the house.

In their defence, Tilly said, he was employed  
by

by the Isdells as their attorney; and as the two brothers were confined in two different prisons, the going backwards and forwards from one to the other occasioned his seeing them oftner than he otherwise should. He denied that he had ever made use of the expression about Moses going out, as sworn to by Mr. Day, or that he had the smallest knowledge of any intention of an escape.

John Criswell left his defence to the counsel.

Jonathan Jones did not deny that he had taken the lodging for Mrs. Isdell, but he had not done it secretly; for, on her husband's being taken up, she sent for him to come to town from Gosport; he did so; and as she was obliged to leave her house in St. Mary Axe, he had taken this lodging for her; and in so doing thought he did no more than his duty for a niece. Before the accident happened, he had returned into the country; all of which was admitted to be true by the witness Solomons.

George Hardwick stated himself to have been employed as a porter to assist in carrying the goods to the lodging, and not having been paid the whole of his demand, had gone that night, and was waiting to get the remainder.

— Hayden said, his wife washed for Mrs. Isdell; and that she being lame, he had gone to Mrs. Isdell's with some things that night, and was staying for some money.

John Hayden had been out drinking, not being able to work from its being Good Friday, and was so much intoxicated, that he could not say how he came into the house.

Henry Delaney said, he was passing by the door just after the accident, that he stopped to see what  
was

was the matter, that he was pushed in by the mob, and had not been in the house before.

Simon Jacobs described himself to be a brother-in-law to Isdwell, that he was constantly going backwards and forwards to him; and that by his desire he passed most of his time at their lodgings. He had no doubt but Day was the man who shot his brother. He then entered into a long and vehement attack upon the keepers of Clerkenwell, both for their conduct to Isdwell and to himself, after he was taken; drawing a conclusion with respect to the former, that the governor, deputy governor and turnkeys were the principals in the in the escape; and that he and his fellow prisoners, even had they intended to assist, could only be accomplices, and that it could not be just to punish the accomplices before the principals; nay more, he insisted the escape was made the moment he was out of prison, and consequently long before they could be concerned with it.

John Phillips and John Solomons related the same story; namely, that upon a promise of a reward of 200l. they were endeavouring to get the dies from Mrs. Isdwell, by which the stamps had been forged; and upon their making her some promises, she had appointed them to come that evening.

John Henley said, he had called upon Mrs. Isdwell that night respecting a watch he had bought, and which had been stopped.

A great number of very respectable witnesses were then called to their different characters.

Mr. Justice Buller summed up the evidence with much attention and perspicuity; after which the Jury went out for near half an hour, and then  
returned

returned a verdict of *guilty* against nine, *acquitting* Jonathan Jones and Henry Delaney.

The punishment attending the crime is a limited transportation.

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*Account of the Execution of EDWARD COOKE  
and HENRY PARISH, for Mutiny, at Brigh-  
ton.*

FROM the hour of four o'clock in the morning of June 12, 1795, the whole line of encampment were ordered to hold themselves in readiness: at five, however, in the evening the officers were given to understand, that the execution of those two unfortunate men *Edward Cooke* and *Henry Parish*, was countermanded for that day.

The cause of this short respite was attributed to the absence of the Prince of Wales's 10th regiment of light dragoons, which did not march into the town till nine o'clock this morning, and of course could not pitch their tents till late in the evening.

When this regiment were seen on their march to their station, all hopes of an expected reprieve seemed entirely to vanish: the most respectable people, however, of the place, took this opportunity of one day's delay to repeat their petitions in favour of the two men; but all proved ineffectual; for early on the 13th the Oxfordshire Militia (the regiment to which the mutineers belonged) began their march from the barracks at Blatchington to this place, to be made awful spectators of their unhappy comrade's punishment, and to be their executioners! At four o'clock the whole line were ordered to accompany them



them from the ground to Colestoun Bottom, at which place they arrived about five. The six men (for there were 13 mutineers) that were sentenced to be flogged, proceeded afterwards in a covered waggon guarded by a strong escort, which was composed of select men, picked from every regiment in the line: the two condemned to be shot followed in the rear in an open cart, attended by the Rev. Mr. Dring, and guarded by a second escort, under the command of Captain Leigh, of the 10th regiment of light dragoons, and one of the captains belonging to the Lancashire Fencibles. When they arrived, however, at the winding road which leads to Colestoun Vale, and which is surrounded by an eminence, both the escorts were commanded to halt. The six men sentenced to be flogged were then taken from the covered waggon, and having been marched through the whole line, who were under arms to receive them, they were brought back to a whipping-post which were fixed in the centre of the different regiments. The drummers selected to flog them were men belonging to their own corps. Three of them received three hundred lashes each; this was all the number they then received, as, from their long durance, and consequent weakness, the surgeon of the regiment pronounced that they could suffer no more. The fourth was then stripped, and, after being tied to the flogging-post, was reprieved; as were his two other comrades.

This part of the distressing ceremony being gone throug, the two unfortunate men condemned to be shot were taken from the cart, and marched, as the others had been, up the line, with this difference only, of being conducted also through part of the outer one, which was composed of the prince's

prince's regiment, the Lancashire and Cinque Port Fencibles; they were then marched to the front of the Oxfordshire Militia, where their coffins stood to receive their bodies; the artillery being planted on the right, with lighted matches, in the rear of the Oxfordshire, to prevent any mutiny, if attempted, and the whole heighth commanded by 2000 cavalry.

Cooke and Parish being conducted to the fatal spot, exchanged a few words with the clergyman, and then kneeled with the greatest composure and firmness on their coffins: the first time, however, they kneeled, it was done the wrong way; but being placed in a proper situation, they put the caps over their eyes, and received their death from a delinquent platoon of twelve of their own regiment, at the distance only of six paces. One of them was not quite dead when he fell, and was therefore shot through the head with a pistol. This, however, was not the last awful ceremony the line had to experience; for, to conclude the dreadful tragedy, every regiment on the ground was ordered to file off past the bodies before they were suffered to be inclosed in their coffins. The whole scene was impressively awful beyond any spectacle of the kind ever exhibited.

No disturbance whatever resulted from the above melancholy affair: every thing was conducted with the greatest solemnity and order: the awe and silence that reigned on the occasion, infused a terror, mingled with an equal degree of pity, that was distressing beyond conception. The Oxfordshire Militia naturally experienced more afflicting sensations than any other regiment on the ground.

Cooke and parish were both young men, and  
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behaved with uncommon firmness and resignation: they marched through the lines with a steady step, and regarded their coffins with an undaunted eye. The former was called Captain Cooke, from his having headed the Oxfordshire soldiers, at the fatal period of the mutiny.

The general officers who commanded on this melancholy occasion, were Lieutenant General Lascelles, and Major Generals Hulse and Jones.

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*Interesting Particulars of the Murder of Mr. ERRINGTON, by Miss BROADRIC, and her Trial for the same.*

**M**ISS ANN BROADRIC, who assassinated Mr. Errington, on Friday the 15th of May, 1795, at his seat near Grays, in the county of Essex, is a young lady of considerable accomplishments, a fine figure; and superior to the generality of her sex in personal charms. Three or four years after Mr. E's well known divorce from his former wife, he addressed Miss Broadric with the utmost solicitude; but it is not true that he had seduced her, as she had previously lived with a Captain Robinson. He lived with her nearly three years, with every appearance of domestic comfort! Mr. E. however, about twelve months ago, saw another beautiful object, possessed of a large fortune, to whom he transferred his affections, and, after a little time, he gave her his hand. On this he settled, what he deemed a suitable provision on Miss Broadric, stated to her explicitly the variation of his sentiments, and added, that he never could see her more! After the first agonies of her grief, she sent the most affectionate remonstrance

remonstrance on his conduct, and requested, as the last boon, that he would grant her one interview. This was refused; she still persisted, by letters, to move him to grant her this last request; but finding him inexorable, she wrote him, “ That  
 “ if nothing could induce him to do her this act  
 “ of common justice, he must prepare himself for  
 “ the fatal alternative, as she was determined *that*  
 “ *he should not long survive his infidelity!*”

Receiving no answer whatever, after a lapse of a month, she dressed herself elegantly, very soon, on the Friday morning, went to the Three Nuns Inn, in Whitechapel, and took a place in the Southend coach, which passes very near Mr. E’s house; she got out at the avenue gate, and, in her way up, was recognized by Mr. E. who told his wife, that tormenting woman, Broadric was a coming; but that he should soon get rid of her, if she, Mrs. E. would retire a few minutes: Mrs. E. however, did not consent to this, but prevailed upon her husband to go up stairs into the drawing-room, and leave the interview to her management. Miss B. being shewn in, asked for Mr. E.; she was told he was not at home: “ I am not to be so  
 “ satisfied, Madam, replied Miss B. “ I know  
 “ the ways of this house unfortunately too well,  
 “ and therefore, with your leave, I’ll search for  
 “ him!” on which she rushed up into the drawing-room, and finding him there, she drew a small brass barrelled pistol, with a new bagged flint from her pocket, and presenting it at his left side, in a direction for his heart, exclaimed, “ I am come,  
 “ Errington, to perform my dreadful promise!” and instantly pulled the trigger: surprised at his not falling, she said, “ Good God, I fear I have



“ not dispatched you ! but come deliver me into  
 “ the hands of justice !” Mrs. E. bursting into the  
 room, and seeing her husband bleeding, fainted  
 away. Mr. E. now remonstrated with her, and  
 asked her, “ if he had ever deserved this at her  
 “ hands, after the care he had taken to settle her  
 “ so comfortable in the world ?” To this she  
 gave no other answer, than by a melancholy shake  
 of her head. Mr. Miller, a neighbouring surgeon,  
 being called in, found that the ball had penetrated  
 at the lowest rib, cut three ribs asunder, and then  
 passed round the back, and lodged under the  
 shoulder bone, from whence every painful effort  
 was made to extract it, but in vain ; Mr. Button,  
 a magistrate, now came, who took the examina-  
 tion of Mr. E. after his wound was dressed. He  
 asked Miss Broadric what could induce her to com-  
 mit such an act of extreme violence ? her answer  
 was, “ That she was determined that neither Mr. E.  
 “ nor herself should long outlive her lost peace of  
 “ mind!!!” Mr. E. entreated of the magistrate  
 not to detain her in custody, but let her depart, as  
 he was sure he should do well ; but this request  
 Miss B. refused to accept, and the magistrate to  
 grant. Her commitment being made out, she was  
 conveyed that evening to Chelmsford gaol, where  
 she remained tolerably composed till she heard of  
 Mr. E.’s death, when she burst into a flood of  
 tears, and lamented bitterly that she had been the  
 cause of his death. The Coroner’s Inquest sat on  
 the body on Tuesday, the 19th of May, and  
 brought in their verdict, *Wilful Murder, by the*  
*hands of Ann Broadric!* Mr. E. was in the 39th  
 year of his age, and possessed a very large landed  
 and personal property.

*A Letter*

*A Letter from Miss Ann Broadric to the late Mr. Errington, of the Temple.*

“ Dear E.

Sept. 11, 1794.

“ THAT you have betrayed and abandoned the most tender and affectionate heart that ever warmed a human bosom, cannot be denied by any person who is in the least acquainted with me. Wretched and miserable as I have been since you left me, there is still a method remaining that would suspend, for a time, the melancholy sufferings and distress which I labour under at this moment; and still, inhuman as thou art, I am half persuaded, when I tell you the power is in your hands, that you will not withhold it from me.— What I allude to is, the permission of seeing you once more, and perhaps, for the last time. If you consider that the request comes from a woman you once flattered into a belief of her being the sole possessor of your love, you may not perhaps think it unreasonable. Recollect, however, E. ere you send a refusal, that the roaring of the tempest, and the lightnings from heaven, are not more terrible than the rage and vengeance of a disappointed woman. Hitherto you can only answer for the weakness and frailty of my nature. There is a further knowledge of my disposition you must have if you do not grant me the favour demanded. I wish it to come voluntarily from yourself, or else I will force it from you. Believe me in that case I would seek you in the farthest corner of the globe, rush into your presence, and with the same rapture that nerved the arm of Charlotte Cordet, when she assassinated the monster Marrat, would I put an end to the existence of a man, who is the  
author

author of all the agonies and care that at present oppresses the heart of!

ANN BROADRIC.

P. S. This comes by William (the servant you have discarded on my account) who has orders to wait for your answer."

On Friday, July 17th, at six o'clock, Ann Broadric was conveyed from the gaol; in a chaise, to a room in the shire-hall; and about ten minutes before the lord chief baron Macdonald, the sheriffs, and magistrates appeared on the bench, she was conveyed into the bail dock in the criminal court, attended by three ladies and her apothecary; she was dressed in mourning, without powder; and after the first perturbations were over, occasioned by the concourse of surrounding spectators, she sat down on a chair prepared for her, and was tolerably composed, except at intervals, when she discovered violent agitations, as her mind became affected by various objects and circumstances. When the indictment was reading, she paid a marked attention to it; and on the words, "that on the right breast of the said G. Errington she did wilfully and feloniously inflict one mortal wound, &c. she exclaimed, "Oh my great God!" and burst into a torrent of tears.

The prosecution for the crown was opened by Mr. Garrow, who demonstrated the painful execution of this office by the humane and affecting exordium with which he addressed the Jury preparatory to the statement of the evidence he was instructed to adduce. He thought it his duty, however, to inform them what his learned brethren, who had the conduct of the defence of the unhappy female at the bar, were precluded by the  
rules

rules of law from stating, viz. that the defence intended to be set up was unquestionably of great importance, requiring their most serious deliberation; it was no less than the plea of lunacy; and therefore it became their peculiar duty, as jurymen, before they visited a deed with death, to be perfectly satisfied in their own minds that the prisoner committing it was in the possession of her reasoning faculties; otherwise it must have been the insanity, and not the moral agent, which perpetrated the bloody act.

George Bailey sworn---said he was servant to the deceased Mr. Errington; saw Miss Broadric come into the kitchen on the 13th of May last: did not know her: she asked whether Mr. E. was at home? He answered, yes; and desired the gardener to shew the lady into the parlour, while he put on his shoes, and went up to inform his master, then in the drawing-room; that he saw Mrs. E. and the lady meet at the parlour door. [Here Miss Broadric shook her head and groaned deeply.] He perceived that the ladies were strangers to each other. Miss B. asked Mrs. E. if Mr. E. was to be spoken with? She answered, "Yes, ma'am; pray walk up stairs." His mistress went up first; he returned to the kitchen, and in the space of a minute he heard the report of a pistol, the shrieks of his mistress, and also his master cry out and groan! He ran up stairs, and passing some workmen, desired them to go with him, as something dreadful had happened: on entering the drawing-room, he beheld his master all over blood, and leaning, with his left hand on his right breast, who exclaimed, "Oh God! I am shot! I am murdered!" Mrs. E. instantly ordered him to take that woman into custody, for she had murdered her husband;



husband; on this Miss B. threw a pistol out of her left hand on the carpet, and laughed, crying out, "Here, take me! hang me, and do what you will with me; I don't care now!" He told the workmen to take care of the prisoner till he came back: he then ran to the stable, took a horse, and rode for Mr. Childers, the surgeon, about a mile off; desired him to mount the horse, and make haste to his master who was shot; he followed soon after with two constables, when he found the doctor and Mrs. B. with his master. Miss B. he saw afterwards in the parlour below: that on seeing her right hand in her pocket, he told the constable he thought she had another pistol in her pocket; that the constable went behind her, and took hold of both her arms, when she said, "What are you going to do?" He replied, "Not to hurt you in the least, ma'am, but it is our duty to put these handcuffs upon you;" which they did. She rejoined, "Let me put my hand in my pocket first." The constable answered, "No!" She said, "I want to give you something." "Some other time," replied the other. The witness then asked her whether she had not another pistol. She answered, "I have!" and in a lower tone of voice said to him, "This I intended for myself!" He then sent for a woman servant, and desired her to search her; which she did, and immediately drew another pistol from her pocket. [The pistols were here produced, and sworn to be the same.]

John Eves lived at the Bull Inn, Whitechapel. Miss B. came to him about the 11th of May, and gave him a letter to carry to Mr. E. he delivered it to him on the 13th, at Grays, who asked him whether it did not come from Miss B.? He replied,

plied, it did. Mr. E. then bade him take it back, as he should see her at the fair; he took the letter to her again unopened the next day.

“ Dear Sir,

“ As I intend going to South-end on Wednesday, I wish to speak a few words to you on money-affairs, as I have received no answer to the letter from Mr. — [Mr. E’s Solicitor] I fear you are deceived in the person you entrust. I wish you would meet me at the Dog and Patridge, at Stifford, as I have not had the money you promised me I should receive.”

Here the evidence for the Crown was closed, and several persons were called in, who proved the prisoner’s insanity.

The Lord Chief Baron, before he summed up the evidence, called the attention of the Jury to the particular plea of insanity, on which the defence of the prisoner had been rested; no denial having been set up against the perpetration of the deed, of which, indeed, there had been given the fullest and clearest evidence. The law certainly required that the will should accompany the act, to constitute a felonious murder. The defence in the present case was, that the prisoner was incapable of lending her will to the perpetration of the crime with which she stands charged. His lordship here entered an illustrative detail in support of this general proposition. He said, the unhappy woman laughing in the midst of an act of horror, bore a strong appearance of mental derangement; indeed this was often made a test of madness in the finest wrought theatrical representations. The letter which had been given to the magistrate, and the receipt of which he had so humanely and wisely expostulated against, did not convey any idea of

insanity ; though the chain of such very tumultuous circumstances for so long an antecedent period as six months, certainly did carry with them strong symptoms that the person acting under them were unlike to rational persons. The family derangements which had been stated were not of themselves sufficient evidence ; but were certainly a strong ground-work, on which to build other circumstances more immediately applicable to the individual herself.

On the whole, if the Jury thought the latent seeds of derangement, after a convulsive struggle of six months, had been called forth on this horrible occasion, so as to overwhelm the senses of the unhappy prisoner, they were bound in conscience to acquit her. If, on the other hand, they believed that it was the preparatory pangs of a mind intent on gratifying its revenge by the death of its object, they must find her guilty ; but they scarcely need be told, that, should a doubt remain on their minds, common charity required that the balance should turn in the prisoner's favour.

The Jury consulted about two minutes, and then gave their verdict—Not Guilty—to the general satisfaction of the whole Court.

The Judges, on leaving the town, after the assizes were over, directed that Miss B. should be examined before two magistrates, that she might be safely removed, under their order, to the place of her settlement, with a particular recommendation annexed thereto, that she might be taken all possible care of.

LEWIS AVERSHAW, &c.—for Murder. 45

*The remarkable Trials, Behaviour, &c. of LEWIS AVERSHAW, JAMES LITTLE and SARAH KING, for Murder, with an Account of their Execution at Kennington Common.*

**L**EWIS AVERSHAW, alias Aberlhaw, was tried before Mr. Baron Perryn, at Croydon, July 30, 1795.

The prisoner was charged on two indictments: one for having, at the Three Brewers Public-house, Southwark, feloniously shot at and murdered D. Price, an Officer belonging to the Police-Office, held at Union-hall, in the Borough. The other indictment was for having, at the same time and place, fired a pistol at Bernard Turner, another Officer attached to the Office at Union-hall, with an intent to murder him.

Mr. Garrow, the leading Counsel for the prosecution, opened his case to the Court and Jury, by stating, that the prisoner at the bar, being a person of very ill fame, had been suspected of having perpetrated a number of felonies. The Magistrates of the Police-Office in the Borough of Southwark, having received information against the prisoner, sent, as was their duty, an order for his apprehension. To execute the warrant, the deceased Price, and another Officer, went to the Three Brewers, a public-house, where they understood he then was drinking, in company with some other persons. At the entrance of a parlour in the house, the prisoner appeared in a posture of intending to resist. Holding a loaded pistol in each of his hands, he with threats and imprecations desired the officers to stand off, as he would otherwise fire at them. The officers, without being intimidated by those menaces, attempted to rush in and seize him, on which the prisoner dis-



charged both the pistols at the same instant of time, lodging the contents of one in the body of David Price, and with the other wounded Turner very severely in the head. Price after languishing a few hours, died of the wound. Mr. Garrow was very pathetic and animated in his description of the several circumstances composing the shocking act of barbarity. To prove it, he would call four witnesses, whose evidence, he said, would be but too clear to establish the prisoner's guilt. The Jury would be enabled to judge from the facts to be submitted to them, and would undoubtedly decide on the issue joined between the Crown and the prisoner at the bar. The learned Counsel accordingly called Turner, the landlord of the house, a surgeon, and a fourth witness; but as the substance of their evidence is comprised in Mr. G.'s opening of the indictment, it would be superfluous to repeat it. Turner said positively, he saw the prisoner discharge the pistols, from one of which he himself received his wound, and the contents of the other were lodged in the body of Price, who died very shortly after. The surgeon proved that the death was in consequence of the wound.

Mr. Knowles and Mr. Best were Counsel for the prisoner, but the weight of evidence against him was too strong to be combated by any exertions.

Mr. Baron Perryn summed up the evidence, on every essential part of which his lordship made several apposite, pointed, and accurate observations. The Counsel for the prisoner, he remarked to the Jury, had principally rested his defence on the circumstance of several other persons being present when the pistols were discharged, by some of which they contended the death wound might possibly have been inflicted. But, with respect to  
that

that part of the transaction, it would be proper for the Jury to observe, that the witness, Turner, had sworn positively to his having seen the prisoner in the act of discharging the contents of the pistol.

The Jury, after a consultation of about three minutes, pronounced the dreadful verdict of—*Guilty*.

Through a flaw in the indictment for the murder, an objection was taken by Counsel. This was argued nearly two hours, when Mr. Baron Perryn intimating a wish to take the opinion of the Twelve Judges of England, the Counsel for the prosecution, waving the point for the present, insisted on the prisoner's being tried on the second indictment, for feloniously shooting at Barnaby Windsor, which the Learned Counsel said, would occupy no great portion of time, as it could be sufficiently supported by the testimony of a single witness. He was accordingly tried and found guilty on a second capital indictment.

The prisoner, who, contrary to general expectation, had in a great measure hitherto refrained from his usual audacity, began with unparalleled insolence of expression and gesture, to ask his lordship if he “was to be murdered by the evidence of one witness?” several times repeating the question, till the Jury returned him Guilty.

When Mr. Baron Perryn put on the judicial cap, the prisoner, unconscious, and regardless of his dreadful situation, at the same time put on his hat, observing the Judge with contemptuous looks while he was passing the sentence. When the constables were removing him from the dock to a coach, he continued to vent torrents of abuse against the Judge and Jury, whom he charged with, as he styled it, his murder. As his desperate disposition was well known, he was, to prevent resistance, hand-cuffed, and his thighs and arms  
also

also bound strongly together, in which situation he was conveyed back to prison. So callous was this ruffian to every degree of feeling, that on his way to be tried, as he was passing near the usual place of execution on Kennington Common, he put his head out of the coach window, and, with all the *sang froid* imaginable, asked some of those who guarded him, if they did not think he would be *twisted* on that pretty spot by Saturday?

James Little was also tried at Croydon, before the Lord Chief Baron, for a wanton and barbarous murder committed near Richmond, on the bodies of Mr. Maceyoy and Mrs. King.

Mr. Fielding, for the Crown, stated, that the disclosure of the crime imputed to the prisoner at the bar, was a very fortunate circumstance in a number of respects; but in none more so than that a person capable of such atrocity was, in consequence of the discovery, removed from being near the sacred and beloved person of his Majesty. The prisoner had an employment at the Laboratory of the Palace at Kew, which had afforded him an opportunity of being more near his Majesty than was consistent with the safety of a life so dear and important to the nation as that of the Sovereign.

The deceased Mr. Maceyoy and Mrs. King were persons of very advanced age, and had, for several years, lived together between Kew and Richmond. The prisoner, by some means, got acquainted with Mr. Maceyoy, and was in the habits of visiting him and Mrs. King, though contrary to the wishes of the latter, who, on a variety of occasions, expressed a fixed dislike of the prisoner, dissuading her friend from having any manner of intimacy or connection with him whatever.

Those antient persons lived together, and were supposed

supposed to possess a very large property. The prisoner, very probably, through a belief of their having a sum of ready money, devised the perpetration of his infernal crime. Coming to their house, and procuring admittance, he first murdered the old man, and then attacked the woman, whose throat he cut across; and then supposing her dead, began to rifle and pillage the house.

Some faint resistance, and feeble screams, on the part of Mrs. K. alarming the neighbours, some of them forced their way into the house, and there witnessed the shocking scene just perpetrated—Mr. M. was quite dead, but Mrs. K. had still some remains of life, and gave some description of the transaction, but died very shortly after. The prisoner was instantly seized, and committed to prison. By a due course of law he was then brought before the Court and Jury, at their hands to receive an acquittal or condemnation. But the body of evidence to be produced against him was, the Learned Counsel observed, so clear and cogent, that he was persuaded no manner of doubt could remain of his guilt. To prove those facts, Mr. Fielding called on some witnesses, among whom was another labourer at his Majesty's Laboratory at Kew, whose testimony in the clearest manner established the prisoner's guilt. The diabolical transaction brought home to him was of so horrid and black a nature, as to render any high coloured description of its enormity too shocking to the humanity of an English Public.

After a short charge by the Lord Chief Baron, the Jury found the prisoner Guilty.

Sarah King was indicted for the wilful murder of her new born bastard child, in the parish of Nutfield in the County of Surry.

Mr.



Mr. Silvester, in his opinion, stated the circumstances at large.

She was found Guilty, and immediately received sentence of Death.

Perhaps there never was a greater instance of the depravity of the human heart, than in the conduct of Avershaw. After receiving sentence of death, he was conducted back to prison, where, having got some black cherries, he amused himself with painting on the white walls of the room in which he was confined, various sketches of robberies which he had committed; one representing him running up to the horse's heads of a post-chaise, presenting a pistol at the driver, and the words, "D---n your eyes stop," issuing out of his mouth; another where he was firing into the chaise; a third, where the parties had quitted the carriage, and several others, in which he was described in the act of taking the money from the passengers, being fired at, where his companion was shot dead, &c.

On Monday, August 3, about ten o'clock, Jeremiah Avershaw, John Little, and Sarah King, were brought from the New Gaol, in the Borough, attended by the Sheriffs and a numerous body of Police Officers, and conveyed to Kennington Common. Little and the woman conducted themselves with a propriety becoming their unhappy situation, but Avershaw persevered in his audacity to the last. He appeared entirely unconcerned, had a flower in his mouth, his bosom was thrown open, and he kept up an incessant conversation with the persons who rode beside the cart; frequently laughing and nodding to others of his acquaintance whom he perceived in the crowd, which was immense.

BENJ. SMITH—for uttering forged Notes. 417

*Particulars of the Life, Execution, &c. of BENJAMIN SMITH, for uttering forged Notes, knowing them to be forged, 1795.*

**B**ENJAMIN SMITH was a native of Herefordshire, and some years kept a farm near Twyford, Somerset, but latterly resided in the neighbourhood of Birmingham, as a grazier. At the Bristol fair of March, 1794, he purchased of Mr. William Creemor, farmer, a number of oxen, paying him the amount of 170*l.* in 5*l.* bills on a house in Coventry. These bills were forged; and it was not till Smith had driven away the cattle, which he speedily re-sold, that Mr. Creemor found there were no such persons existing as the bills specified. After a tedious search, and a reward offered in the Birmingham papers, Smith was apprehended at his residence, and brought to Bristol to be tried for the offence. It appeared he had been long in these nefarious practices. Being found guilty, he was ordered to be executed on St. Michael's Hill.

About twelve o'clock he was brought out of the great door of Newgate, when he ascended a cart that was in waiting, which was followed by a mourning coach, in which were the ordinary and another gentleman; after which was a hearse with a coffin therein. The procession then moved slowly on in awful solemnity, and arrived under the fatal tree a little before one o'clock. The ordinary and his attendant then ascended into the cart, and after singing a penitent hymn given out by the latter, the ordinary addressed the surrounding crowd in a short pathetic speech. He then had some private conversation with the malefactor, and at his request cautioned the inad-

vertent to take warning by his ignominious end—to reverence the sabbath—to shun the company of vain and profligate sinners—and to remember their duty and obligations to the divine Author of their being, as men, as Christians, and as candidates for an awful eternity. After this solemn address, the gentleman who attended gave out a few words adapted to the awful occasion, which were sung with much energy and devotion by the surrounding multitude. The ordinary then recommended the soul about to depart, to the mercy of our loving and compassionate Redeemer. He returned thanks to the sheriff and officers for their attendance, took an affectionate leave of the ordinary and his attendants, and after a few moments longer spent in prayer, was launched into eternity about five minutes before two o'clock, and died with every visible mark of true contrition and sorrow: as a real penitent, resigned to his fate, and in confidence of his acceptance with God. After hanging the usual time the body was cut down, and given to his friends for interment.

It having been reported, that he was an accomplice in many other capital offences, the ordinary in the morning, when administering the sacrament, and also at the place of execution, seriously exhorted him to a confession. He however positively denied being concerned in any other crime than that for which he was about to suffer.

Smith was forty-seven years of age, and twice married; he left no children by either wife, but a widow, aged twenty-six.

“ Oh that men would forget their wicked ways, and be wise !”

*Particulars*

*Particulars of the extraordinary Trial, Behaviour, &c. of JOHN WHITE, for the Wilful Murder of MARIA BALLY, Schoolmistress, of Bath, at Bridgewater Assizes, August, 1795.*

JOHN WHITE, a young man about nineteen, got up early in the morning, June 19, procured a brace of pistols, which he loaded, and with coolness and deliberation walked into the school-room of Miss Maria Bally, in Corn Street, Bath, an amiable young lady to whom he was affectionately attached, and after a short conversation, presented one of the pistols to her head, and shot her instantly dead. The noise of the pistol and smoke greatly terrified the children in the school, and their cries alarming the neighbours, he was taken coming out of the door—The mayor shortly after summoned a jury, and a verdict of wilful murder was brought in against him.

On the trial, it appeared that the deceased had forbidden the addresses of the prisoner, which urged him to this rash act. When the witnesses for the crown had been examined, he was asked if he had any thing to say in his defence. He replied, that he left his case entirely to his counsel, who called three witnesses to prove the insanity of the prisoner; but their evidence went merely to a dejection of spirits which he had manifested previous to the murder.

The Jury without hesitation, returned a verdict—*Guilty*.

The learned Judge then observed, that virtuous love always harmonized the mind, but in him that passion had shewn itself savage and ferocious; he then proceeded, in a most solemn manner, to



pass upon him the following dreadful sentence :—  
 “ That he should return to the place from whence he came.—On Thursday next to be hanged by the neck until he was dead, and his body to be delivered to a surgeon to be anatomized.—To be allowed bread and water only, unless he wished to receive the Sacrament.—To be kept private, and no person admitted to him but by the direction of the sheriff.”

White was composed during the greater part of his trial, and heard the sentence with resignation, bowing submissively to the Court, and particularly to the prosecutor. He then shook hands with the witnesses who had appeared against him, saying, they had spoken nothing but what was truth.

He was taken from the prison about half an hour after ten o'clock on Thursday morning (his trial having been the preceding Tuesday): the cart in about ten minutes arrived at the place of execution. He spent half an hour in fervent prayer with the county chaplain and another minister. He afterwards addressed the numerous spectators in a clear and connected speech of full twenty minutes, in which he quoted many passages from Dr. Young's Night Thoughts, and cautioned the younger part of his hearers to be careful how they formed connections, and when formed, not to trifle with each others feelings. When the clergyman left the cart he remained composed, and met his fate with becoming fortitude.

The body, after receiving some incisions from the surgeon, was delivered to his friends.

The unhappy fate of this man is similar to that of Hackman. It is madness and not love to send

send to an untimely grave the person whom we pretend to regard!

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*Particulars of the Interesting Trial of FRANCIS COLE, GEORGE COLLEY, MICHAEL BLANCHE, and EMANUEL BATHA, for Murder and Piracy, Jan. 22, 1796.*

**S**AMUEL DEARBON, Archibald Hart, John Cassado, Francis Cole, George Colley, Michael Blanche, and Emanuel Batha, were apprehended in the Isle of Wight, for the wilful murder of William Little, the Captain of the American Eagle.

Dearbon, Hart and Cassado were admitted evidences for the Crown. It appeared from their depositions, that the murder of William Little, the captain of the American Eagle was committed at twelve o'clock at night, of October 27, 1795, within three days sail of the chops of the Channel, and the command of the vessel was then taken by George Colley, who before had been appointed mate, in consequence of the death of Richard Little the original mate.

The circumstances attending this murder were truly horrid and diabolical. Cole was the chief murderer, Colley the director, and the two Spaniards, Blanche and Batha, the assistants. Between one and two o'clock the witness Dearbon was alarmed at the cries of the captain, who called out murder, while some one was saying, "rub him down, d—n him, rub him down well;" he then was heard to say, "I am not dead though you think me so," and in a short time after exclaimed

claimed in a faint voice, "Cook, for God's sake let me lie down and die quietly;" these last words must have been addressed to Cole, as he acted in the capacity of cook. Michael Blanche then came down from the deck and attempted to murder the witness Dearbon, who was lying in his hammock; when a scuffle ensued, and the witness got upon deck and begged his life of Colley, who then directed the body of the captain to be drawn up from the cabin and thrown overboard. During this operation, Cole said, I can haul him up with a hearty good will, and when the body was drawn up and thrown overboard, Colley said—"There, let him go to hell and be damned;"—the body had no covering but a shirt, pair of stockings and drawers: the trowsers having been stripped off by Cole who kept them. Colley then took possession of the captain's effects, among which were 245 dollars, which were afterwards sold by him at Cowes, and divided between the witnesses and the others, together with the clothes of the deceased. Colley, the mate, had entered in the log-book that the deceased died on the 27th of October, of a yellow fever: on the ship's arrival in the Isle of Wight; Colley attempted to make an alteration of the entry of the death he had recorded before, and place it at a former period. A variety of other circumstances appeared, which tended to prove that the part the witnesses took in this horrid transaction, was entirely through fear, and that the origin seemed to have been set on foot by Colley.

Blanche and Batha being Spaniards, and unacquainted with the English language, had an interpreter who explained every circumstance of the evidence to them: they denied being actually guilty



guilty of the murder, though they acknowledged they knew of its being done. Cole said it was perpetrated by Colley, and Colley said it was done by Blanche and Cole, but did not say who directed it to be done. The manner of the murder was exceedingly barbarous, a knife and an iron tea-kettle being used to effect it.

Batha in his defence delivered a paper, translated from Spanish, which was as follows—"I Emanuel, declare before God, that I am innocent of having any share whatever in the death of Captain Little. I was at that time at the helm, and could not have concerted with any one as I cannot speak English at all, and my language is that of the Bay of Biscay." Foreigners appeared to his character, one of whom said he was *an angel of God*, meaning a good man.

The jury acquitted Batha and found the rest Guilty.—Blanche expressed much astonishment at the verdict.

Sentence was immediately passed by Sir James Marriott on the prisoners, to be hanged on the ensuing Monday at Execution Dock, and afterwards dissected and anatomized. Sir James Marriott afterwards respited the execution of the three prisoners to the following Thursday, on account of the tide, but desired they might be told not to flatter themselves on that account with any hopes of further time. On that day, pursuant to their sentence, they suffered at Execution Dock. The concourse of spectators who attended to witness this act of justice was immense. Cole laughed and behaved in the most indecent manner. He and Hart (the witness) were Americans of colour. Colley was an Irishman. They would make no confession, but remained obstinate and sullen. Their bodies were brought back to Surgeon's Hall, and publicly exposed.

The



The first murderer, Cain, was exposed to scorn, and became a wandering example to all the blood thirsty !

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*The remarkable Trial of KIDD WAKE, for Assaulting HIS MAJESTY, and breaking one of the Glasses of His Majesty's Carriage in Palace Yard, while His Majesty was returning from the House of Lords, Feb. 20, 1796.*

THE indictment charged, that on the 29th of October, 1795, as the King went in the state coach to the House of Peers to meet his Parliament, Kidd Wake, and a number of other disorderly persons, made a great noise, by shouting, hissing, hooting, groaning, and calling out, "no war, down with him," &c. &c. the same indecent behaviour was repeated on His Majesty's return.

Dr. Wolford and Mr. Stockdale were called on the part of the Crown, and proved the charge in the clearest manner.

Mr. Erskine made some observations on the defendant's character.

*Lord Chief Justice.* "Gentlemen of the Jury, I have nothing to sum up to you, the question is, whether the law which protects *every subject* under the king's government, is sufficient to *protect the King?*"

The Jury returned a verdict of—*Guilty.*

When brought up to receive the judgment of the Court; Mr. Justice Ashhurst addressed the defendant—He said, that he had been convicted  
upon

upon the clearest and most satisfactory evidence, of a crime of a most atrocious, and, he was happy to say, almost of an unprecedented nature. He had experienced much mercy from those by whom he was prosecuted; for if the law had been stretched to its utmost rigour, he might have stood convicted of a crime of a much higher nature. The present case afforded a very strong instance of the unequalled mildness of the laws of this country; for, he believed, this was the only country in the world in which, for such an offence, he would not have paid the forfeit of his life. The evidence adduced at the trial, afforded the most convincing proofs that the defendant was a man of a bad and malignant heart, and the explanation which he had since attempted to give of his conduct, in the affidavits which he had filed, was by no means satisfactory—He had endeavoured to account for the contortions of his countenance by a defect in his sight, which always had the effect of producing a distortion of his features when he attempted to look particularly at any object; but if this could be supposed to account for the contortion of his countenance, it could not for the language he used, such as, “no George,” &c.

“It has been urged as a matter of compassion, that you are a married man, and that you and your wife depend on your daily labour for support. It is lamentable that it should be the lot of the innocent to suffer with the guilty. That, however, will sometimes necessarily happen in the course of human events; but the claims of your country have a much louder call than those of any individual whatever; and I hope when you think here-

after on the misery you have brought on your innocent family, by your own misconduct, that it will operate as a check to restrain you from future mischief, and will likewise be a warning to the rest of the world.

“ It now becomes my duty to pronounce the sentence of the Court ; which is, that you be committed to the custody of the keeper of the Penitentiary House in and for the county of Gloucester, and be kept to hard labour for the space of five years; and within the first three months of that time, that you stand in and upon the Pillory for one hour, between the hours of eleven and two o'clock in the afternoon, in some public street in Gloucester, on a market day ; and that you give sureties in 1000*l.* for your good behaviour for the term of ten years, to be computed from the expiration of the said five years; and that you be further imprisoned till you find the said sureties.”

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*The Life, Trial and Execution of the unfortunate, and much lamented HENRY WESTON, for Forgery on the Bank of England, 1796.*

THIS young man belonged to a very respectable family in Ireland, and was nephew to the late Sir Hugh Palliser. Weston left his native country when 18 years of age, on account of having defrauded his father and uncle of several sums of money. As they would not give him any further countenance, he came to London, where he was almost destitute of every necessary, and applied to Mr. Bonus, a countryman of his, who

who recommended him to Mr. Cowan, of Ely Place, to manage his army agency business. His attention to business was such, as soon gained him the confidence of his employer. Mr. Cowan, about two years ago, having occasion to be absent in the country, gave Weston the unlimited order to draw upon his banker for any sums he might want; to this implicit confidence of his employer he may date the origin of his ruin: for having no person to overlook or to be a check upon him, he was tempted to hazard a large sum of money at a gaming-house, in Pall-Mall, which he lost; and having gamed away nearly the whole property of his employer, he was at length induced, by the fatal hope of recovering it, to forge the name of General *Tonyn*, to a warrant of attorney, whereby he received upwards of 10,000*l.* at the Bank, which did not uphold his extravagance more than two nights. This matter lay undiscovered for some time, as he remitted the general's dividends regularly as they became due; he likewise obtained from his cousin, Mr. Walter, (now Sir Hugh Walter,) a large part of the fortune left him by his uncles, under the idea of laying it out to advantage in the stocks, all of which was sunk at the gaming-table. This brought him to such a state of desperation, that to obtain more money at any rate—at any risk, he had the audacity to take a woman to the Bank to personate the sister of General *Tonyn*, and in consequence obtained another considerable sum. This he had a favourable opportunity of doing, as he was in the habit of transacting money affairs for that lady, who met him about two months ago at the Panorama, where she accused him of



neglecting her payments; he immediately set off for Ipswich, and arriving at the Post-office in time next morning to intercept her letter to her brother, which he answered, as from the General, to the lady's satisfaction. Finding at length, that he could hold it out no longer, he set off about four o'clock on Friday for Liverpool, attended by the servant of Mr. Cowan, who accompanied him as far as Finchley Common; when they parted, the servant returned home, and was immediately taken into custody, under the supposition that he was his confidant, as his name was signed as witness to the warrant of attorney.

Weston was taken in Liverpool, on board of a vessel on the point of sailing for America, to which place he intended to emigrate; when he was about to be taken, he made several attempts to destroy himself by cutting his throat.

His trial came on May 14, at the Sessions House in the Old Bailey, before Mr. Common Serjeant.

Mr. Serjeant Shepherd, as counsel for the prisoner, addressed the Court as follows:

"My Lord, I am counsel for the unfortunate young gentleman at the bar, and before he is arraigned I wish to say a few words.

"My Lord, Mr. Weston is so extremely weighed down and depressed with the situation into which he is plunged, and has been ever since his commitment, that he has not been able to make those preparations for his defence, which are absolutely necessary, in a case so important to himself.

"My Lord, the application I am about to make is not founded on any affidavit, but is rather

ther an appeal to the Court, that they will postpone his trial until the next sessions, when he will be fully prepared to enter on his defence.

“ My Lord, it does not appear to me that any injury can be sustained by so short a delay, either to the Governors of the Bank in particular, (who I am very confident have no wish but that of the attainment of public justice) nor to that public justice in general, which is undoubtedly very deeply impressed in the investigation of every charge so important in its nature, as that now imputed to the prisoner at the bar.”

*Mr. Garrow.* My Lord, I am counsel on the part of the prosecution, and I beg leave to inform the Court, that I am very far from objecting to the present, or any motion, for any thing that might tend to the accommodation or safety of the prisoner at the bar, so far as I am only personally concerned; but, my Lord, in this case I have the honor to act a part for the public, whose interest it is my duty primarily to attend to, whatever my own private wishes might be, for the benefit or comfort of every individual.

“ My Lord, I trust I am so well known by the Court, and even by my learned friend himself, as to leave no doubt on any mind of the truth of my assertion; but, my Lord, when my learned friend very gravely informed the Court that no injury can accrue to public justice from the delay of this trial, he had certainly forgot the uncertain tenure of mortality, between this time and the next session, the existence of some one or more of the material witnesses on this trial for the prosecution may terminate, and they may themselves be called before a much higher tribunal, and by  
that

that means the end of public justice may be defeated.

“ My Lord, there is no special cause assigned on the part of the prisoner, founded on any affidavit to distinguish between this case and that of any other prisoner to be tried this session.

“ My Lord, the gentlemen for whom I have the honor to attend, have no wish but the attainment of public justice, and having shortly troubled you with these observations, I leave the matter entirely at the discretion of the Court.”

*Mr. Common Serjeant.* In this case there is no affidavit to lay any one cause before the Court why this trial should be postponed: the Court is always ready to extend its clemency and protection whenever it can properly do so, but in the present case there is no one reason assigned to justify the Court in acceding to this motion.

The indictment was then opened by Mr. Knowlys, and the case by Mr. Garrow, as follows:

“ May it please your Lordship, and gentlemen of the Jury.

“ Gentlemen, I have the honor to attend you on the part of the Governors and Company of the Bank of England, who are necessarily the prosecutors of this indictment.

“ Gentlemen, you have already collected that this indictment against the unfortunate young man at the bar, charging him with no less a crime than that of forgery, and I need not observe to you, that one more pernicious to the peace and safety of a well regulated society, is not to be found in the catalogue of crimes.

“ Gentlemen, if forgery be so destructive and baneful in its effects upon individuals, what must be

be its consequences when extended to public bodies of men, and particularly to our national bank, where such immense sums are deposited, not only belonging to our own countrymen, but also to foreigners; the importance therefore of securing this property from the inroad of forgery, immediately presents itself to every person.

“Gentlemen, the circumstances I have to lay before you in evidence, will be shortly these.” (*here Mr. Garrow narrated the facts of the case, as will appear from the evidence, and then added*)

“Gentlemen, these are the facts which I have to prove to you in evidence; and if my instructions are true (and I have no reason to doubt them from the very respectable quarter from whence they come) I am afraid the case will appear too plain to leave the least shadow of doubt on your minds; but whilst you lament those sacrifices, which are so frequently made to the violated laws of your country, remembering at the same time the solemn obligations you are under to discharge your duty to that country, you will have no hesitation in pronouncing the young man at the bar guilty of the crime imputed to him by this indictment.”

James Bolton, John Staples, and John Sleeth, each of them clerks in the Bank, were sworn, and deposed that General Patrick Tonyn was possessed of 16,000*l.* three per cent. consol. Bank annuities standing in his name.

William Kinsale, proved that the prisoner on the 22d of January last transferred 5000*l.* by power of attorney; 2000*l.* to Mr. Bennet, 2000*l.* to Mr. Sleeth, and 1000*l.* to Mr. Boldew.

*Mr. Garrow.* My Lord, now we propose to call General Tonyn, who, I submit, is an admissible



ble witness in this case, as the Bank have replaced the sum, he would otherwise have lost by this forgery; and he is therefore a disinterested witness, perfectly competent in every respect. My Lord, the question I would ask the General is, Whether he has any claim now upon the Bank?

*Mr. Serjeant Shepherd.* My Lord, I beg leave to object to the examination of General Tonyn, in any respect, he appearing on the face of this transaction as an interested witness, for aught the court knows, as they do not produce any release duly executed, which is the proper mode of proof. My Lord, I contend that such release should not only be produced between General Tonyn and the Bank, but also by all the persons through whose hands the stock has passed.

*Court.* Mr. Garrow says the Bank has reinvested his property; if so, there can be no objection to his evidence.

Patrick Tonyn, deposed that on the 16th of January he had 16,000*l.* stock in the three per cents.—The Bank had made up every deficiency that was in that stock. In the month of April last, he gave directions to Mr. Aldridge to examine into his stock, for the purpose of transferring it; in consequence of which he saw the prisoner on Friday following, at Mr. Aldridge's; he intended to go immediately from thence to the Bank to make the transfer, but the prisoner said, it was likely they should be detained several hours at the Bank, as it was the first transfer day, so he did not go till the Monday following, and the prisoner promised to meet him and Mr. Aldridge on Monday at the Bank; he went to the Bank on Monday, but did not meet the prisoner. He found there was no stock in his name.

He

He did not see the prisoner after that till he was in custody.

Walter Tone said he is servant to Mr Cowan of Ely-place; that the prisoner came to his master's house, and asked him to go with him to a coffee-house, which he did: when they were there, he took a blank instrument out of his pocket, and asked him to sign his name to it, which he did, having no suspicion; and he added to it *servant to Mr. Cowan.*

John Aldridge said, on the 7th of April last he received orders from General Tonyn to go to the Bank, in consequence of which he went; there he saw the prisoner; he told him the General would be there the following day, to transfer 16,000*l.* standing in his name, under certain trusts to the executors under his brother's will; the prisoner said he wished to have the business postponed to a future day. He then told the prisoner that he had been informed, by Mr. Vickery, of the Bank, that all the General's stock was sold out; he said it was true, that the stock had been lent to Mr. Cowan, to be invested in navy bills, and that they were then rather low, but that they were expected to be higher; he then told the prisoner not to rely on the General's putting off his appointment; and he told him he would speak to the General on the subject. The prisoner desired the witness not to say any thing to the General about the stock being sold out, because he said, it was the wish of the General, as well as Mr. Cowan, that it should be a secret.

Other witnesses were examined—particularly, Mr. Cowan, of Ely Place, who was much affected while he gave his testimony, and retired, after his evidence, dissolved in tears.—The following

letter, written to this gentleman, and which was produced in evidence, will sufficiently evince the character of this unhappy youth.

“ Sir,

“ In the unfortunate situation in which I am plunged by my own misconduct, I beg you will permit me to confess to you the forgery with which I am charged, and for which I must unquestionably suffer. The cause of my committing a crime, which I acknowledge to be of the most atrocious nature, arose from a violent attachment to play ; and having lost great sums at gambling-houses, I fondly hoped to repair my fortune by this most imprudent step. I am now an unfortunate and ruined young man: I have been unsuccessful in many speculations, and particularly by the baneful practice of insuring, by which I lost sixteen hundred pounds in the last Lottery, and have lost seven thousand pounds in gambling at different houses. I cannot but express my deep concern at so dissipated a line of conduct, for which I can make reparation only with my life. The thought of a violent dissolution fills me with horror, but not more pungent than the reflection, that I have so early in life disgraced my friends. Could I but be spared to evince a different conduct ! but hope is in vain, and I can only bid you an everlasting farewell.

HENRY WESTON.”

NEWGATE.

The prisoner, after a most affecting trial, was found Guilty.—The Jury having delivered their verdict, the prisoner addressed the Court in these words:—

“ My Lord, and Gentlemen of the Jury, the verdict which has now been passed upon me, I  
hear

hear with a calmness and resignation, I am happy in possessing upon so awful an occasion. I am, my Lord, as my appearance may very easily shew, a very young man. I hope the numerous young men who surround me, will take example by my fate, and avoid those excesses and fatal vice of gambling which have brought me to ruin and disgrace, and I hope too, that those farther advanced in years, will be cautious not to confide with too unlimited a controul, the management of their concerns to the care of inexperienced young men. At the time I was ushered into life, I possessed that controul over property, the value of which I could not justly estimate, from which I date my present dreadful situation. I have been ruined by too much precipitation in myself, and by too great want of attention in those that have had the superintendance of my conduct. The justice of my condemnation I acknowledge, and shall submit to it with patience, and I hope with fortitude."

When sentence of death was passed, he addressed the Court as follows:—

"My Lord, I beg to return my humble thanks to this honorable Court, for the great attention and kindness which I experienced on the awful day of my trial; and would beg now to trouble your Lordship with a few observations.

"My Lord, I acknowledge the crime of which I have been convicted; but I solemnly declare that I did not do the act with any intention ultimately to defraud General Tonyn. If I had had any such intention, it is plain that I had an opportunity to have escaped from justice, and to have gone to the remotest part of the globe; but although I was too much attached to the vice of gambling,



yet I fully intended to make restitution to the utmost of my power, of that property which I became possessed of through this forgery.

“ My Lord, I solemnly declare I have never committed any bad act, except the unfortunate act for which I am now justly sentenced to die. I put my trust in God, hoping that he will enable me to bear my sufferings with resignation; and that he who knows the hearts of every one, will judge me according to my intentions; and I most humbly request that the execution of my sentence may be delayed, so as to allow me time to prepare for that awful and important event which awaits me.”

Weston was attended in the morning by three reverend Divines, who conducted him to chapel, in order that he might receive the sacrament with his fellow-sufferer, who particularly expressed how happy he should be if Mr. Weston would grant him that favor; “ if not (said he) I hope nevertheless we may meet in heaven.” For it must be observed that Weston did not usually come to chapel, not being there above three or four times during his confinement, having been waited upon by some clergyman or other in his own room. However, on the morning of his execution, July 6, he attended and communicated with the reverend gentlemen and his fellow-convict; the sacrament was administered by the ordinary, who afterwards prayed with the unhappy prisoners on the scaffold, attended by one of the divines alone, as the other two could not make up their minds to go on the platform, though requested by the unhappy young Weston. Upon the executioner’s putting on the cap, he pulled it as far as he possibly could himself over his face,  
and

and at the same time held a white handkerchief to his mouth, so that during prayers, the populace could by no means see his countenance. He wept abundantly just before he was turned off, and squeezed his friend (the minister's hand), being no doubt at that time much agitated.

It is said, that his mother died in Ireland a few days before his execution, of a broken heart.

It is not possible to conceive a more affecting or interesting example offered to the consideration of men, who speculate and waste their own and friends property with which they may be entrusted, than that of Henry Weston, who closed his sad account with the ignominious sacrifice of his life. His plea of not having had any bad intention, is a deceiving argument, and in the scale of religion or morality, can have little weight. From small gains at first, men are enveigled to pursue the visionary phantom; they forfeit the trust confided to them by their friends under the expectation of soon being able to replace it, but succeeding attempts strip them of all hopes, inextricable difficulties entangle them, and if the last effort brings them not to the gallows, despair often drives them to self-murder:

*Particulars of the Trial and Execution of JOHN ROBERTS, alias COLIN RECULEST, for Forgery.*

JOHN ROBERTS was indicted, 1796, for forging a promissory note of five guineas purporting to be signed under the name of W. Howard, at Messrs. Hankey and Co.

John

John Newbury, a publican in Spitalfields, said the prisoner came into his house to drink a pint of beer—he begged change of this note, which Newbury was not able to give, not having so much cash in the house.—At the prisoner's request he went to Haseltine's, a grocer, and requested change. Mr. Haseltine said it was not a Bank note, but a Plymouth Bank note, but that he would change it if the prisoner would endorse it. The prisoner readily complied and wrote the name of John Stephenson on it, and the date: he then took the change, and ordered a pound of the best Hyson tea, a pound of Cocoa, and a pound of Chocolate to be tied up with a bill, and sent to the Publican's where he would call and pay for it. He paid the Publican his reckoning but never called for the grocery. The note was returned as a forgery to Mr. Haseltine and he returned it to Mr. Newbury.

Other witnesses corroborated the facts, and the clerk to Messrs. Hankey and Co. deposed that their House had no correspondence with any person at Plymouth, of the name of W. Howard.

The Jury found him *Guilty*.

This unfortunate man, was about thirty-four years of age, and was executed with Weston, on Wednesday, July, 6, 1796.—He met his fate with great fortitude.

The day before Weston suffered, he and one of the clergymen expressed a wish that he might not be kept long at the place of execution, and that Collin Reculest might be informed of it, hoping he would be ready and willing to comply with the desire; but in this they were mistaken, for he, an old inmate of Newgate, was not at all ashamed of appearing in public; therefore, when  
he

he was informed of it, he replied, “What, is Weston afraid of being seen? that is not my case. I am not only willing for the people to see me, but likewise to take warning by my untimely end; therefore, (says he to the Ordinary) let me have the usual prayers;” to which he was answered he had an undoubted right, and that his petition should certainly be granted.

However, on the morning when he saw his fellow-sufferer, and returned him his sincere thanks for a guinea he had sent him towards his funeral, (having no friends to bury him, nor any means but such as were furnished by subscription among the prisoners) he seemed willing to oblige him; but the matter was more properly adjusted by two of the divines, so as apparently to make it agreeable to both the unhappy men.

How many fall in the prime of life through their own folly and wickedness—

Reflect infatuated youth,  
Nor swerve from honorable truth!  
Since shame and horror in the end  
The devil’s votaries will attend!

*Particulars of the Trial of LOCKEY HILL, who  
was Executed for Horse-stealing, Feb. 24, 1796.*

**L**OCKEY HILL was indicted in the December Sessions 1795, for stealing a gelding value 10*l*. the property of Richard Kirby.—At the request of the prisoner the witnesses were examined apart—Kirby swore he lost a gelding June 1, and that Monday, November 23, he saw it in the custody



custody of James Chamberlain, a stable-keeper, South Mews, in the parish of Marylebone. It was a brown gelding, about 15 hands high, with a star in his forehead, remarkable light made.

Leonard Tweed, said he bought the gelding of the prisoner—he gave 10 guineas and a poney worth 5l. for it—the prisoner warranted the horse sound, but the witness found the contrary. Tweed sold it to Chamberlain for 9l. 3s. 6d. who delivered it up to Kirby upon his laying claim to it.

Bowtell said he went down to Birmingham with the prisoner with three horses. He was very often with the prisoner with a great many horses that he stole. When the prisoner saw this gelding, they lifted the gate off the hinges, and the witness held it while the prisoner fetched the horse out of the field. They quarrelled about who should ride it. The witness rode it part of the way.

This witness confessed that the prisoner and he had stolen *scores of horses*, and produced a long list of them to the Court.

The Jury found the prisoner *Guilty*.—He had been tried not long ago on the same charge, and the same witness Bowtell appeared against him, and confessed they had stolen a mare together, the property of John Weedon, but the prosecutor being a Quaker and refusing to swear, Hill was then acquitted.

Hill previous to his execution opposite Newgate, addressed the populace and confessed his innocence.

Sad instances of depravity!—by this offence two commandments are broken; the *eighth* and *tenth*.

*Parti-*

*Particulars of the Trial, &c. of JOHN CLARKE,  
for the wilful Murder of ELIZ. MANN.*

**A**T Maidstone assizes, John Clarke, gardener to Charles Long, Esq. was indicted for the wilful murder of Elizabeth Mann his fellow servant, who lived as dairy-maid with that gentleman, at his country seat near Bromley, in Kent.

The deceased, it appeared by the testimony of Mr. Long's servants, was observed, a few days before she was murdered, to appear very much dejected, in consequence of the prisoner's not paying that attention to her he was accustomed, and by whom they strongly suspected she was with child. The day on which she disappeared was on a Monday; and on the Tuesday she was found by the steward and coachman in the dairy, with a deep wound in her throat, and a cord fastened tight round her neck. From the intimacy which subsisted between the prisoner and her, their suspicions fell on him; in consequence of which two officers from Bow-street were sent for, who, on their arrival at Mr. Long's house, went to the dairy, where after a strict search, nothing was found that could possibly create a suspicion that the unfortunate young woman had been guilty of suicide. They immediately took Clarke into custody; he denied knowing any thing of the matter; and, in stating how he had been employed on the Monday evening on which the murder was perpetrated, he contradicted himself in his several relations.

But the most material part of the evidence adduced against him was that of one John Johnson, a painter, who lodged in the prisoner's house, he swore, that on the Monday evening on which the

deceased was murdered, he went home about a quarter before nine, and asked Mrs. Clarke (the prisoner's wife) for his supper; after eating it, he went to the Greyhound public-house, where he remained till about a quarter past ten, when he returned back to his lodging: Clarke was then at home, and was sitting very much dejected, leaning on the table with his arms folded. From the behaviour of Mrs. Clarke, the witness thought they wanted him gone, and on Mrs. Clarke giving him a candle, he went up to bed; he was sitting on the bed-side reading, when he heard Mrs. C. come softly up stairs, and said in a low voice to her husband, "not yet, he is not in bed." Soon after he went to bed, and got up about six o'clock in the morning; seeing Mrs. Clarke up, he said she was up early; she replied she was washing—he heard of the murder soon after this, and communicated his suspicions to his comrade (Stedman) as to the guilt of Clarke; on which they both went to him, and told him the rumour that was spread respecting the murder of Mr. Long's dairy maid: he trembled exceedingly, and appeared very much agitated; he asked them if any person was suspected; and added, that he wished that some heavy misfortune would fall on him, if he had been guilty of the deed. Some other conversation passed between them, all of which tended greatly to confirm their suspicions.

A piece of rope was then produced, found in the tool-house of the prisoner, which proved to be of the very same manufacture, texture and size as that found about the neck of the deceased.

The Jury, after a short deliberation, found him *Guilty*.—He was ordered for execution, and his body afterwards to be dissected.

Clarke

Clarke was executed pursuant to his sentence, July 29, 1796, near Broml y. He made a circumstantial confession of the deed to the clergyman who attended him after conviction, but which appears very extraordinary, and in some cases improbable, as he attempted to exculpate himself of any premeditated intention of committing that horrid act; said it was entirely brought about by the deceased herself, who, when he went by her own appointment to the dairy-house, locked the door, took away the key, and put her apron over the key-hole, and he attempted to leave her by getting out of the window; she held him back, and desired he would kill her, declaring she had rather die than live and be slighted; that the rope with which he did it he found in the dairy-house, but which not dispatching her quick enough, he cut her throat with a knife he had about him, which he afterwards threw into a pond where he went to wash the blood from his hands. The circumstance of his clothes being washed or burnt to prevent discovery, he also positively denied, and declared his wife had no knowledge of the business. That the deceased was with child by him he admitted.

Murder, though performed in the *dark* will come to *light*—but should the guilty wretch escape the punishment of the law—he cannot escape the punishment of hereafter!

*An Account of THOMAS COLLINS who was Executed at Reading, for Burglary, July 23, 1796.*

THOMAS COLLINS was capitally convicted at Reading Affizes, for breaking into the



out-premises of Sylvanus Greville, Esq. of Woolley-green, Berks, in the night, and stealing a quantity of linen and wearing apparel, was executed on the new drop at Reading gaol, pursuant to his sentence.

He was a native of Hurley, in Berkshire, about 40 years of age, and never married.—John Bristow, who was accomplice with him in this robbery, was admitted an evidence against him; he said that he and Collins had committed several other robberies. Collins, however, both before and since his conviction denied any knowledge of such robberies with Bristow, and had observed a particular silence and reserve, and sometimes could not be prevailed upon to give an answer to questions that were put to him. The evening before his execution he became rather more communicative, and acknowledged that he had been upon terms of strict intimacy with Bristow, and had frequently been strongly pressed by him to assist in various robberies, yet he always refused; this he asserted in the most solemn and serious manner, and also that he was never near Mr. Greville's house or his grounds.

He came upon the drop about half past ten o'clock, attended by the Rev. Mr. Hodgkinson, the chaplain; and after about half an hour spent in prayer, the chaplain, at taking leave of him, again conjured him, as he was on the brink of eternity, and immediately to appear in the presence of Almighty God, that he would no longer practice deceit, but confess whether he was guilty of the offence for which he was then to die; he, however, strongly persisted in his innocence, and denied any knowledge of the robbery. He appeared totally unconcerned at his approaching dissolution;

dissolution; and called to Mark Wise, a prisoner, who was then present, saying, "thank you, Mr. Wise, I am much obliged to you; 'tis you and another person's false swearing, have brought me here; I thank you." He was then launched into eternity.

When sin takes a deep root the heart becomes callous to all religion and contrition!

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*Account of TIMOTHY DUNN, who was executed at Leicester, for the wilful Murder of MARY LAIKIN, of Ashby-de-la-Zouch; and EDWARD JONES, MATTHEW RILEY, and DENIS CONROY, for the wilful Murder of HENRY HUTCHINSON of Loughborough.*

DUNN, and the three other soldiers executed at Leicester, were all fine young fellows, natives of Ireland, lately returned from the Continent, where, for four years, they had been engaged in the most arduous enterprizes and dangerous services, in all of which they had uniformly acquitted themselves with honour to their regiment, and credit to their country. At the time of their committing murder they were privates in an Irish company. Jones and Riley were quartered at Loughborough, and Dunn at Ashby de-la-Zouch. Henry Hutchinson who was murdered was a poor boatman. The murderers, who were under thirty years of age, were committed March 16, 1796—tried on the 19th—executed on the 21st.—Though nothing can possibly be urged in extenuation of their crime, still it should be remembered, that the offence was not aggravated  
by

by any *permeditated intention*—heated with liquor, quarrelling and fighting amongst themselves, with the natural irascibility of their temper, wound up to the highest pitch, they sallied forth, under the impulse of ungovernable passion, and wreaked their vengeance on the first unfortunate object that *chance* threw in their way—their conduct, on this occasion, stands recorded as a memorable and melancholy instance of the dreadful effects of *intemperance*.

After the commitment of Dunn, a remarkable circumstance occurred; a regiment of dragoons, passing through Leicester, on their route into Yorkshire, a private of the name of Dunn, hearing he had a namesake confined for murder, curiosity led him to make a visit to the goal, when, to his great surprise, he found it to be his brother, whom he supposed to be dead many years.

The short time allotted them after condemnation, was spent in earnest prayer and supplication to the throne of mercy; the whole tenor of their conduct bespoke the sincere penitent, and they met death with a manly fortitude and pious resignation, that merited a better fate.

Blood for blood is a just demand—and frequently the *wanton* spilling of it is as reprehensible as the *wilful*—Drunkenness (which is a crime in itself) is no excuse for another and a greater crime—One sin leads to another!

*Execution of COX, M'LAURIN, SULLIVAN, EALEY and MORRISON, the Mutineers of the Defiance, March 8, 1796.*

AT nine o'clock in the morning the signal for execution was made on board the *Defiance*  
man

man of war, by firing a gun and hoisting a yellow flag at the fore-top-gallant-mast head : a lieutenant, in a boat manned and armed, was immediately sent from each ship to witness the awful scene : the crews of the respective ships were called on deck, and the articles of war read to them by their captains, who afterwards warned them to take example from the fate of the unhappy men about to suffer. The Rev. Dr. Hatherhall, chaplain of the Sandwich, (who has constantly been with the prisoners since their condemnation) administered the sacrament to all of them, except Michael Cox and Martin Ealey, who were Roman Catholics ; after praying with them until near eleven o'clock, they were brought on deck, and the ropes fixed around their necks, when John Flint, George Wythick, John Lawson, and William Handy were made acquainted that his Majesty had been pleased to pardon them. Handy, who had a wife and child on board, immediately ran down and fainted in her arms ; Lawson addressing the clergyman, said, " I am afraid I shall never again be so well prepared for eternity."

At a quarter past eleven the signal for the execution of the remainder was made by firing a gun, when Michael Cox, Robert M'Laurin, John Sullivan, Martin Ealey, and William Morrison, were launched into eternity. After hanging the usual time, their bodies were sent on shore to the Agent at sick quarters, for interment.

This awful spectacle had a due effect upon the several ships companies, who behaved in a very proper and becoming manner on the occasion.

*Par-*



*Particulars of ISAAC PHILIPS, who was Tried, Condemned and Executed at Salisbury, for extorting Twenty Guineas from the Rev. JAMES LEDIARD, of Devizes, by threatening to accuse him of an unnatural Crime.*

THE trial of Philips excited to an uncommon degree the attention of a very crowded court, and the animated and pathetic address of Mr. Gibbs, who opened the prosecutor's case, spoke home to the feelings of all who heard him.—He lamented that the crime of which the prisoner stood charged, though not unfrequent in the Metropolis, had found its way into the country; and if not checked would expose the characters and dearest rights of the respectable members of the community to be ruined by any dark assassin capable of acting as the prisoner had done.

The Judge in summing up the evidence, pointedly declared that there did not appear the least pretence for the most distant imputation on the prosecutor's character, and that he was convinced (and the whole Court manifestly concurred with him) that the prisoner's infamous story was the effect only of his own invention, and fabricated for the sole purpose of extortion.

The Jury found the Prisoner *Guilty*. Three others were capitally convicted at the same Assizes for stealing sheep—but Philips was the only one whom the Judge left for Execution.—Let his fate be a warning to others. To take away a good name, “the immediate jewel of both man and woman,” is worse than robbery.—“Who steals a purse steals trash—but he who pilfers from another his good name, robs him of that which does  
not

not enrich the thief, and makes the loser poor indeed ! ”—The scripture says “ Thou shalt not bear false witness against thy neighbour.”

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*Particulars of the Trials, Execution, &c. of JOHN FRANCIS BODKIN for a Burglary; WILLIAM FOGDEN, for Horsestealing, and THOMAS KEMP a Letter-carrier, for taking two Bills of Exchange out of a Letter.*

JOHN FRANCIS BODKIN was indicted for Burglary in the house of — Ardefoif, Esq. at Hampstead, and stealing thereout a gold watch, a diamond ring, and several pieces of foreign money, to the amount of 40*l*.

It appeared, by the evidence, that the prosecutor had formerly been a jeweller, but having retired from business, he took with him a number of the articles specified in the indictment, which he kept in an iron chest, in an adjoining room to his bed-chamber. He was in so bad a state of health as to find it necessary to have a servant always about his person, in which capacity the prisoner lived for some time. From this situation he was, however, dismissed, and shortly after the burglary was committed. The prisoner, about this time, left some property in the hands of a Mrs. Murdoch, to whom he sent a young woman of the name of Ann Hailes for them. The watch and several of the articles were delivered to her, from which circumstance the property was discovered, and the charge traced to the prisoner. Ann Hailes was taken into custody, but, being bailed, she did not appear. To supply the deficiency of her evi-

dence, a letter to her from the prisoner, found in her box, was produced, and his hand-writing being identified, was read. In this, in the most tender and affectionate terms, he confessed he had committed the robbery, solely induced to it by his love for her, whom he stiled the *innocent cause of his guilt*; complaining that what most affected him was, that his conviction must depend upon the testimony of her whom he adored.

By this letter the charge was substantiated, and the Jury brought in their verdict *Guilty*.

William Fogden was indicted for stealing a black mare, value 8l. the property of Joseph Deal.

The Jury found him *Guilty*—but recommended him to mercy, it being his first offence.

The Judge observed it was the first offence that came before them; but they could not possibly be sure it *was* his first offence.

Thomas Kemp, a letter-carrier, was tried upon a capital charge, of having stolen two bills of Exchange out of a letter entrusted to his care for delivery.

It was proved in evidence, that a letter containing two bills of exchange was put into the post-office in Liverpool, but notwithstanding the letter did not come to hand, the two bills were presented on the day, and were paid, the one with a 40l. the other a 50l. Bank bill: particular notice being taken of the number of those bills, they were traced to the house of Fawcett and Co. who had given cash for them to the prisoner. It appeared also, according to the regular routine of the office, the letter in which those bills were proved to be sent, would have come into the hands

hands of the prisoner for delivery, the place to which it was directed being in his walk.

The Chief Baron, who tried the cause, in relating the evidence to the Jury, stated, that although the letter was not positively proved to have been delivered to the prisoner, yet it was for them to consider, whether any doubt could remain on that account, since the bills being presented and paid, left no room to suppose that it had not come safely with the mail, and if the witnesses were to be credited, then the prisoner had been in possession, and negotiated the Bank notes which had been given for the bills that had been stolen. To meet this evidence, he had produced persons who gave him an excellent character; but that would have no weight, where there was no doubt, and in that case it would only be for them to lament, that that character had been so soon forfeited.

The Jury went out for about twenty minutes, and then returned a verdict *Guilty*—recommending him, however, to mercy, he being only twenty years of age.

These unfortunate men suffered together, March 16, 1796. They evinced extreme contrition and sorrow in their last moments.

A breach of trust is such a flagrant crime, that justice in this case can seldom admit of mercy.—Let Kemp's example be then a warning to all entrusted with the concerns of others.

*Account of the Trial, Execution, &c. of MARY NOTT, ELEANOR HUGHES, and RICHARD LUDMAN, for Murder.*

MARY NOTT was indicted at the Old Bailey, for the wilful murder of the Count de



Gripiere de Laval de Moncroc, on the 29th of May, 1796.

It appeared by the evidence, on the part of the prosecution, that the deceased lodged in Monmouth Court, Whitcomb Street. On Sunday, the 29th of May, in the course of the forenoon, he was observed to go into the house where he lodged, from which he was seen by no person to return; on the following day, being missed by a gentleman who lodged in the next room to him, he asked the prisoner, (who had been taken in about a month before, in the absence of the mistress of the house, to take care of it, and to attend the lodgers) where the deceased was; she answered, that she did not think he lay at home last night, as he did not come in as usual for his milk.

On the deceased still disappearing, this witness made further enquiries of the prisoner, when she told him, that he had gone out with a tall Frenchman and lady, with whom she believed he went into the country.

Elizabeth Innes stated, that she lodged in the opposite house to where the deceased had lived. On Sunday the 29th, about two o'clock, she sat down in a window in her house, which directly fronted a window of a room immediately adjoining to that where the deceased lay, and which commanded a view of a door that led to the deceased's room. She had not been long in this situation, before she observed the prisoner come up to that window, look out of it for a few minutes, and then shut down the sash, and close the shutters. She then went to the next window, and appeared to dust it, from whence she observed her to go into an adjoining closet; she staid there about ten minutes, and the witness heard a great noise  
in

in it. Not long after this, she heard some voices proceeding from the parlour of the house, as if some men was reading aloud in it; and heard them till past five o'clock.

This witness underwent a second examination, in which she stated, that she went into the deceased's room with the prisoner the first time it was opened; she observed the situation of the corpse, it lay across the bed, and took notice of one of the breeches pockets being turned out; on which the witness said, "dear me! the gentleman must have been robbed." The prisoner answered, "he did it himself."—She next observed a cut in his throat, on which she said, he had been certainly murdered; the prisoner answered, "no, he cut his throat himself, or how could he have cut his portmanteau."—The witness did not observe a portmanteau in the room, until she had received the hint, when she saw one that had been cut open, the chain and padlock of it remaining untouched. The coat of the deceased being off, was next observed by her, to which the prisoner observed, "he was just at prayers before he did it;" the witness also observed a wash-hand basin in the window, containing about a pint of water, mixed with blood, as if hands had been washed in it; this circumstance was also mentioned by the witness, who added, that it created suspicion of murder; the prisoner replied, "not at all, he did it himself."

Mr. John Augustine Andre, an intimate acquaintance of the deceased, stated, that on Tuesday, the 31st of May, he went to the lodging of the deceased; he met the prisoner at the door, she told him the French gentleman went out early in the morning, and that she did not expect him home

home that night. On the Thursday following, he heard at the house of an acquaintance, that M. de Moncroc had been murdered. He immediately proceeded to his lodging, but could get no admittance at that time; but afterwards he got access, and went into the room; he described the situation of the body, it lay across the bed, wrapped up in one of the blankets, except the head, which was nearly covered by a pillow. A great quantity of blood had flowed from the body, it ran quite through the bed and the canvass on to the floor; he had a slight wound on the left side, and a wound about one inch and a half long in the neck. Mr. Andre described the situation of the room, the basin and portmanteau, just as described by the last witness.

The above were the principal parts of the case that applied to the prisoner. Many collateral circumstances, however, appeared in evidence, and which corroborated the greatest part of the accounts given by Mrs. Innes and Mr. Andre.

A surgeon was examined, who declared his opinion, that the wounds received by the deceased were *not* mortal. He was rather dubious that the scar on his side proceeded from an external wound.

The prisoner being called on for her defence, said, that she was perfectly innocent of the matter; she had no communication or conversation with the deceased; she attended him as a lodger; he spoke no English, and mostly expressed his wishes by signs.

Mr. Knapp, the prisoner's Counsel, took a legal objection to the case. He observed, that the indictment specified the cause of his death to be occasioned by a wound in the side with a pen-knife



knife. He contended that this was not at all proved by evidence; neither did it appear that he died by his wounds.

The Lord Chief Baron over-ruled this objection, as deeming it evident that he died of his wounds.

Several witnesses gave the prisoner a good character for honesty, sobriety, and a mild humane disposition.

The Lord Chief Baron summed up the evidence to the foregoing effect. He observed, that no direct proof of the murder appeared, as was the case in many instances of the kind; but strong circumstances of the guilt of the prisoner appeared on the face of the evidence. He pointed out these, as well as any thing that tended to exculpate the prisoner.

The Jury retired for about an hour; and at their return into Court, pronounced the prisoner—*Guilty*.

When asked if she had any thing to say that sentence should not be pronounced, she replied, “Nothing.”

The Recorder then pronounced the awful sentence of the law in the usual form. That she be hanged, after which her body to be given to the surgeons for dissection. She was about 63 years of age.

Richard Ludman, Ann Rose, Eleanor Hughes, and Mary Baker were also indicted for the wilful murder of George Hebner, May 22. They also stood charged on the Coroner’s inquisition with the murder of John Brown.

It appeared that the prisoner Hughes (a widow) kept a house of ill-fame, in Dean Street, East Smithfield. The deceased, George Hebner, was a taylor,



a taylor, who came to her house and resided there for the best part of a week, during which time, being without money, he pawned a great part of his clothes.

The person of the deceased was clearly identified. It appeared clearly also, that he was found hanging to the top of the bedstead in a garret in the house of the prisoner Hughes. By the manner in which the deceased's wrists were tied and put behind his back, and by the manner in which the handkerchief was drawn over his face, and the manner in which the cordage was tied, in what is called a sailor's knot, it was perfectly clear that the deceased could not have strangled himself.

It appeared that the day it was discovered that the deceased was hanged, a conversation took place between all the four prisoners. As Eleanor Hughes was going out of her house, an expression fell from Ludman, which was this, "Mother Hughes, don't shut the door, and then they will have no suspicion;" and afterwards, when the public officers came to take the prisoners up on suspicion of the murder, Ludman asked, "whether he could not be bailed for this foolish affair?" and being told he could not, sat himself down on a stool in the house, and said, "damn my eyes, I may as well sit down, for they can but hang me." And afterwards in another conversation, Ludman said to one of the officers who entered the house, "a man has hanged himself in this house last night."

With respect to the prisoner Hughes it appeared, that when she came into the house, she being asked, "how the matter happened?" she said, "she did not know but that the man might hang himself." And in the coach, as the prisoners were going to  
Newgate,

Newgate, when the prisoner Hughes was told by Mary Baker, “ what a wicked woman you are, why don’t you tell the whole truth about this matter, the man never could have hanged himself with his hands so tied behind him,” the prisoner Hughes said, “ I have told all about it.” She said, that they might all have seen what passed, and if she was guilty of murder, they were all as guilty as she was.

With regard to the prisoner Ann Rose, there was no evidence to connect her with the guilt of the transaction, other than that she looked extremely pale when the charge was made; and as to what she said, it might as well be interpreted one way as the other, and therefore as there was nothing to turn the scale, it must weigh of course on the side of mercy.

With respect to the prisoner Baker, her expressions when the charge was made were rather such as indicated surprise at what was going on, instead of guilt. This was, if not proof, at least rational ground to conclude that she was not cognizant with the guilty deed.

The clothes of the deceased, his hat and coat, were pawned by the prisoner Hughes.

The prisoner Ludman had made a voyage to Greenland, and possibly he knew how to tie the sailor’s knot; which was discovered to be curiously performed.

The Chief Baron having commented on these points, left the prisoners case to the jury, who withdrew, and in less than an hour, returned their verdict—Eleanor Hughes and Richard Ludman *Guilty*. Mary Baker and Ann Rose *not Guilty*.

The latter prisoners being taken from the bar, the Recorder addressed Ludman and Hughes as follows :

“ Prisoners, as the evidence of this wanton and very cruel piece of wickedness is proved upon you, I cannot forbear expressing a hope that the habits of your lives, and this last wicked act; will teach a moral lesson, and become a warning to the thoughtless of both sexes, that they be very cautious how in the least they deviate from a life of rectitude, virtue and chastity. If they once quit the direct path, they proceed by quick and accelerated steps indeed, in the course of vice, until at last they are led to commit those atrocious crimes, at which the innocent mind, till corrupted by dissipation and intemperance, is naturally shocked. To deter others from the like enormities, the law of the land has prescribed, that, for this offence, you are shortly to suffer a very ignominious death, and your bodies exposed to be dissected and anatomized. I am compelled to communicate to you the very sad tidings, that the Court are perfectly satisfied with the opinion of the jury, and therefore that you are without hope, and precluded from mercy in this world. I therefore beseech you wholly to fill your minds with a consideration of the world to come.

“ We are taught to believe, that the Father of all Mercies will be merciful to those whose hearts are full of contrition and sorrow for their crimes. To an abandoned course of life you have added this last act of cruel wickedness. If you therefore expect mercy from God, I call upon you to harbour no resentment in your minds, but, to die in peace with the world and submit with patience to the justice of your sentence. Remember;



ber, that you have more time allowed you to repent than you have thought fit to allow the deceased; make therefore a full and lawful confession of this and every other offence you have committed against God and man.—You have deprived society of a member, an afflicted wife of her husband. Prisoners, repent sincerely; and may God send you, on your repentance, forgiveness of your sins. With this prayer I take my leave of you, and must proceed to pass the dreadful sentence which the law prescribes for your crimes.”

The Recorder then sentenced Richard Ludman and Eleanor Hughes to be executed on Monday.

Eleanor Hughes pleaded pregnancy, to stay the execution of her sentence. On which a jury of matrons was collected and sworn to examine her, and report their opinion to the Court. They retired with the prisoner about half an hour, and at their return declared her “to be with child but not *quick* with child.”

Hughes is a woman apparently about 36 years of age, and Ludman about 25.

The succeeding Monday, June 27, 1796, Mary Nott, Eleanor Hughes, and Richard Ludman, were executed opposite Newgate. After they had hung the usual time they were taken to surgeon’s hall for dissection.

At the place of execution they confessed themselves guilty of the crimes for which they suffered. Mary Nott said she gave the Emigrant poison, and finding it not altogether effectual, she struck him and wounded him about the throat.—Ludman owned he had assisted in murdering the unfortunate man at Wapping; and said, that the body would have been thrown down the privy, had not that place already been choak-



ed with the dead bodies of other persons recently murdered.

By the example of these wretches we see what shocking scenes of villainy are carried on among the wicked and low ranks in London. Whoever mixes with such company must either suffer in *soul* or *body*!

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*The Behaviour, Execution, &c. of THOMAS BROWN and JOHN PRICE, for robbing the Mail.*

**B**BROWN and Price were tried and found Guilty at Chester, of robbing the post-boy, conveying the mail between Warrington and Chester.

These two mail robbers were executed at Chester, on Saturday, May 5, 1796. They died very penitent, making full confession of their various offences, and of the one for which they suffered. They addressed the numerous spectators, and in a speech of some length, warned them to take example by their untimely end.

It appeared from their confessions that they had been actively connected with the principal horse-stealers and receivers of stolen horses, in this country; and it was hoped from their information, many horses would be recovered by their owners, and those that stole them detected. Brown (whose real name was Smallman) was a native of Wolverhampton; Price was born in Birmingham.

Brown was brought up a sawyer, which trade he did not long follow. He afterwards travelled  
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to different fairs, selling hardware and Manchester goods by auction, which occupation he followed for several years, generally attending Chester fairs, accompanied by his wife. In the latter part of the year 1794, he lived at Over, in Cheshire, and then was supposed to be an horse dealer. From thence he went to Royston in Hertfordshire, where he lived two years as a dealer in horses; kept two stable men and a gig, was highly respected there; and when in custody at the Poultry Compter, London, last September, for robbing a Quaker on his return from Weyhill fair, he had the best character from thence. It since appears, that he was connected with the principal horse-stealers and receivers of stolen horses, in various counties, and which ultimately proved his ruin.

Price, though only 19 years of age, was an old offender as a pickpocket and shoplifter. He had been tried at Worcester, Nottingham, Shrewsbury, and Hereford; he had not been out of goal more than six months at any one time for several years past.

Brown, during his confinement, figured a coffin, with the representation of a body in it, on the wall of his cell, and wrote underneath the following lines:—

“ Behold the corpse within the coffin lies,  
 “ With stretch’d out limbs, and closed eyes;  
 “ But ah, poor Brown! no coffin thou shalt have;  
 “ Nor yet a shroud, nor yet a peaceful grave.  
 “ Prisoners all a warning by me take,  
 “ Repent in time, before it be too late;  
 “ Repent in time, leave off your thieving ways,  
 “ Then you shall all see happier days.”

After

After hanging the usual time, their bodies were cut down and taken to Trafford Green, near the place where the robbery was committed—where they were hung in chains.

By the misapplication or sacrifice of talents how many of abilities come to a shameful end !

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*Execution of VALLERIE COFFRE, a Frenchman,  
for Murder.*

**V**ALLERIE COFFRE was tried and found Guilty at the Winchester Assizes, July, 1796, of the murder of Nicholas Chartier his fellow prisoner, at Porchester castle. He was conveyed from the Winchester goal to Porchester, as near the spot where the murder was committed as possible, where he was executed on a temporary gallows erected across the road leading through the airing ground of the prison, and where all the prisoners were assembled, to witness the melancholy scene, which was thought necessary, as there had recently been two murders committed there.

After the body had hung the usual time, it was brought back to the city for dissection.

He was about 22 years of age, well made, and behaved in a very penitent manner.

The unhappy criminal was attended whilst in goal, and to the place of execution, by one of the French priests resident at Winchester, and behaved in a very penitent and becoming way, confessing his crime, which is to be attributed solely to the rage of the moment during his intoxication, as he and the deceased were particular friends. He signed a paper, according to the French custom,



tom, acknowledging his crime and the justice of his sentence, and asking pardon for it. The priest who attended him, just before he was turned off, read the paper to the prisoners assembled, which it is hoped had a good effect on them.

The following is a correct copy of the paper above mentioned:

“ In the name of the Father, the Son, and the Holy Ghost.—Fatal drunkenness! without which I should not have killed my friend, since I loved him, and regret him sincerely, and with all my soul. Truth obliges me to say, to the end, that I have no knowledge of that which I did then, so much were my senses lost; nevertheless, I have committed a great crime—I acknowledge the justice of my condemnation—I entreat pardon for it from my friends, from all those who were witnesses to it, and, above all, from God, who is the Father and the Saviour of all men, and to whom I recommend my soul, trusting myself to the merits of Jesus Christ, and blessing his divine bounty. I die a member of the Catholic Apostolic Roman Church.

Witness—*Delabaye*. . . VALLERIE COFFRE.”  
July 11, 1796.

*Summary of the Trials and Execution of WILLIAM ASHBY and WILLIAM LEE, for Burglary, and of THOMAS DAVENPORT, for a Rape.*

WILLIAM ASHBY having been tried upon a charge of stealing a two-wheeled cart, the property of Joseph Green, the chief witness was William Smith, but the Jury not thinking his



his evidence deserv'd credit, acquitted the prisoner, who immediately address'd the learned Judge in the following words:

"My Lord, there is another indictment against me, on the evidence of this false swearing villain, and I wish to be tried now."

The prisoner's request was immediately granted, and he was again indicted for burglariously entering the dwelling-house of Thomas Fenn, about one o'clock in the morning, and stealing plate, silk, &c.

Thomas Fenn, and his servant Mary England, proved the burglary.

Winifred Dixon said, she came from honest parents, but was received by the prisoner, who had a wife; she was obliged to obey him as a husband; she said, Ashby and Smith went to London together,—on Ashby's return, she gave him a handkerchief.

The handkerchief in which a silver candlestick and half-pint tumbler were found tied up by the officer, in his pocket, and which was proved part of the property, was shewn Dixon, who declared it to be the same, from a mark. She said, Smith was a notorious thief.

The Jury then wish'd to hear Smith, who confessed the burglary—confessed also, being cross-examined by the prisoner's Counsel, that three of his comrades had been lately hang'd on his evidence, and that another was condemn'd.

The Court ask'd if Smith laid an information against the prisoner, which was answer'd in the negative. The Jury retir'd sometime, and returned with a verdict—*Guilty*.

Thomas Davenport was tri'd for a rape on Ann Thacker, aged eleven years.

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The child said, she lived with her mother in law, that her father was a publican in Bedfordbury; she slept with the servant, who left her one night while she was asleep, and when she awoke, she found Davenport in bed with her, who notwithstanding her entreaties, persisted in his cruelty to her.

The surgeon deposed, that she had been used very ill.

Mr. Pratt informed the Court, that the child's father being embarrassed, had retired for fear of being arrested, the Judge said, if any person offered him violence while attending the Court, proper notice should be taken of it; Robert Thacker, the father, appearing, was then assured he was perfectly safe, as every man is in a Court of Justice.

The father then deposed, that the prisoner had been quartered on him three or four months, he thought him a quiet man, and often employed him to do little matters, and gave him victuals. He had been out of town; on his return was told his child wanted to see him, who confessed to her father the ill usage she received—the servant who slept with her was turned away for being in liquor.

The Court told Robert Thacker that the child had complained she was harshly treated by her mother in law; it was known in Bow Street, and also known in Court; he was, therefore, desired to take proper care of the child, as it was necessary for her safety she should be treated better. The father said he was determined to part with his wife for the reason.

The Jury found the prisoner—*Guilty.*

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William

William Lee was tried for breaking into the house of John Dingwall and Gerald Baillieu, St. James's Street, and stealing thereout several articles to a great value.

Ambrose Moore, jeweller in Dublin, said, the prisoner offered him a diamond pin, &c. for sale: suspecting he did not come by them honestly, he examined him: the prisoner said, his wife had lived servant to the princess Mary, Elizabeth, and Sophia, and that they were given to her for her services. Witness thought the story an extraordinary one, and on further examination, the prisoner was committed; and Richard Warren, the keeper of bridewell, in Dublin, said, he offered him 700l. worth of value in diamonds, to let him make his escape, and that he swore (kissing a prayer book) he would never discover how he escaped. Witness said, he seemed to agree and deposed to the articles which he received as a bribe.

Mary Hannats proved, that the prisoner with Sarah Chandler dressed in men's clothes, went to Dublin.

Mr. Baillieu said, the articles delivered to Richard Warren were his property.

The Jury found the prisoner—*Guilty*.

These three men were executed together April 20, 1796, opposite Newgate, pursuant to their sentence. Ashby was 35 years of age, Davenport 26, and Lee 27. Lee and Davenport, when they first came on the scaffold, kicked their hats among the populace, but their demeanour afterwards appeared becoming their unhappy situation. Lee was attended by a Catholic priest; after the ministers left them, they shook hands with each other, and were launched into eternity.

Sin leads to death,—let the sinner then repent!



*Particulars of THOMAS WILSON, alias MOUNTAIN, who was executed at Devon, for Robbery.*

THOMAS WILSON, who also bore the name of Mountain, was tried at Devon Assizes for robbing in the day-time, the house of Norman Mac Cassin, at Plymouth Dock, of three pair of silver shoe buckles, one pair of silver knee buckles, and sundry other articles. The facts being proved, he was found guilty, and sentence of death passed on him. He suffered April 1, 1796, at the dock over the Lodge of the new County goal.

During his confinement, he several times attempted to break out of prison, and (after his condemnation) he made a hole through a brick-and-half partition, large enough for him to pass into the chapel gallery, from which he astonishingly ascended into another ten feet above, with fetters weighing nearly 50lb. and so formed as not to permit one foot to step six inches before the other. Here he broke through a plaster partition, and thus got over the general brick ceiling of all the cells, and immediately under the roof of the whole building, where he was overheard, and soon secured. Searching him, a hooked nail and a bit of tin plate were found. This bit of plate he had wetted to a very keen edge, as a knife to cut up the stout canvas cover of his straw-bed into long strips. These he had twisted and strongly tied together, so as to form a very stout rope nearly forty feet long, whereby he intended to have made his descent from the roof into the surrounding yard. He was afterwards confined in a room on the ground floor so chained that he



could reach no wall, and a guard constantly with him. Since which, his conduct was a mixture of rage and disappointment, very unbecoming his unhappy situation. He was brought on the platform about twelve o'clock, where he spent some time in addressing the crowd; after which, he twice called out aloud, "*God save the King,*" threw aside his book, and was launched into eternity.

The hopes of escape or pardon too often divert the malefactor from the more weighty concern of repentance.

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*The Remarkable Trial of ELIZABETH HALL, Pin-beader, at the Quarter Sessions, Surry, who was prosecuted by the Parish of St. Mary Magdalen, Bermondsey, for assaulting and beating two female Children, JANE BRAY, and SOPHIA INGRAM, her Apprentices.*

JANE BRAY said, she was bound to the prisoner as an apprentice, on the 5th of April, 1796. The prisoner for a little while used her and Sophia very well, but after some time began to beat and kick them about, and would drag them up and down stairs, making use of the most horrible expressions. She always kept a rod soaking in brine, with which she used to beat them on their bare skin, when they were undressed to go to bed: if she could not find the rod immediately she would beat them with her fist, and sometimes with the kettle-ladle. They both did as much work as they could, but their mistress made them begin at four o'clock in the morning, and continue close at it until ten or eleven at night, always beating

beating them for no particular cause, and very frequently going out without leaving them either a dinner or supper; they never had a bellyfull; sometimes they had nothing all day long but six potatoes and a little salt for their dinner.

Ann Harland served her apprenticeship to Hall, and wrought there three or four weeks with the children. She described them as very good girls, but rather weakly, and said, they earned their mistress from 1s. to 14d. daily, which was as much as she could do when she had served twelve months of her time. She corroborated the evidence of the child as to the beating and hours of labour, which she said, were unusually long, as the custom of the trade is to work only twelve hours.

Catherine Heman worked also for Hall and generally carried her work home to the shop. On calling one day, the witness was out as she learned from the children, drinking. When she came to the door and knocked, the children begged her for God's sake, to go to the door, as their mistress would knock them down as she came in. The witness accordingly went to the door, and as soon as the prisoner was admitted, she knocked the witness down. She then went down stairs and brought up a board, with which she beat the children very severely. Bray had a large lump on her shoulder, and the little girl Ingram's arms and hands were so bruised by continual beating, as to be scarce able to hold her work.

The beadle of Bermondsey deposed, that he found the children straying in the street between nine and ten at night; he took them home to the prisoner; on his going to leave them there the children cried, and said, they should be murdered.

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The mistress then said she would not take them in at all as that was the case. He then took them to the master of the workhouse; and the parish, much to their credit, instituted the present prosecution.

The evidence is given as it relates to both, though the assaults were tried separately, as the same witnesses were on both. Jane Bray was only eleven years of age, and Sophia Ingram only nine.

The Jury found the prisoner guilty of both indictments, and the Chairman passed sentence, that she should pay a fine of 3s. 4d. and be imprisoned in the House of Correction six months for each offence.

Had not a timely prosecution terminated this woman's enormity, probably poor Jane or Sophia would have fallen a sacrifice to barbarity; then this *mistress* of cruelty would, like Brownrigg, have met her *due* reward at the *galloes*! It is a pity that retaliation could not be made the punishment, that she should know what it was to go without a dinner and a supper, and have the scanty allowance of three potatoes; that she should feel the stripes and hard labour which she inflicted on two young children;—sure Elizabeth Hall cannot be a *Mother*!

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*The Execution &c. of* LEONARD TOMLINSON, SAMUEL EASTWICK, *alias* JOHN CLARKE, *for Murder, and* HANNAH GRIFFITHS *for robbing her Master at Kennington, August 10, 1796.*

**L** EONARD TOMLINSON and JOHN CLARKE were capitally convicted for shooting at and wounding



wounding Colonel Byron's coachman, near Croydon, on the 26th of June, 1796.

Previous to passing sentence, Lord Kenyon pointed out very forcibly the heinousness of their crimes, the necessity of their devoting the short time they had to live to a sincere repentance, that they might not go before an offended Creator, unrepenting of a life of sin and wickedness. His Lordship said that the atrocity of their offences was such as to leave very small hopes of respite or pardon; the whole tenor of their lives, which though short in years, had been long in wickedness, had been one continued breach of the laws of their country; he hoped therefore they would endeavour, by a sincere repentance, to appease the wrath of their Creator, always reflecting that, as they die, so they will come to judgment. Sentence of death was then pronounced.

Hannah Griffiths was convicted of robbing her master's house, while she was living with him as his servant. She was a likely young girl about eighteen years of age, but the crime being deemed unpardonable, she was ordered for execution.

Wednesday morning, August 10, they were conveyed in a cart from the new Goal in Southwark, and arrived at the fatal tree soon after twelve o'clock.—The crowd was more numerous than usual on these awful occasions. Tomlinson, the whole companion of the desperate Abershaw, conducted himself with the same contempt of law and decency, which had marked his conduct from the time of his apprehension to the moment of his death.—He nodded with great familiarity to many of his acquaintance, and approaching near the gallows pointed at it with a sort of sneering contempt.—Clarke and the young woman exhibited



exhibited a more satisfactory spectacle to thinking minds, for whatever may have been their offences, they seemed desirous of atoning for them by penitence and prayer.

They were attended by the Surry ordinary, and after the execution their bodies were brought back to the gaol, and the surgeon having made an incision on those of Tomlinson and Clarke, they were delivered to their friends for interment.

Contempt of death, when inflicted by the law, is no proof of a courageous, but a bad heart.

*The Particular Case of JOHN HENRY GADE, for Forgery, with the Judges opinion; and an Account of WILLIAM GRAVES, for Burglary.*

**J**OHAN HENRY GADE was tried at the Old Bailey, on an indictment which charged that William Harrison was possessed of an interest or share of 50l. in the joint stock of 3 per Cent. Consolidated Annuities; and that the prisoner forged a transfer of the said 50l. interest with the name of William Harrison, with intent to defraud the Governor and Company of the Bank of England.

In support of the charges in the indictment, it was proved that the prisoner and Henry Harland were executors of John Howard, who bequeathed to his grandson William Harrison, this 50l. share; that on the 11th of January, 1796, the prisoner transferred this 50l. into the name of William Harrison, but the transfer never was accepted by William Harrison; that afterwards, on the 14th of January, the prisoner brought his son with him

to

to the Bank, whom he said to be William Harrison; the prisoner signed the transfer, and the prisoner's son, in his presence, signed the transfer, which was properly filled up; but as he wrote his name with a double S, it was required of him to bring an affidavit that he was the person described in the books with a single S, and therefore the broker did not pay the money, and the transfer was not witnessed, which according to the usual form of the Bank should have been done. It appeared also, by the clerks in the Bank, that dividends may be received at the Bank without being accepted, but there are positive orders that there shall be no transfer without, though with the stock-jobbers the transfer is too often made without being accepted.

The prisoner's Counsel made objections, first, that the transfer was not completed, because it was not accepted, that was the transfer to Harrison; and secondly, that this transfer, which was made or attempted to be made, by the prisoner and his son, was not valid, because it was not attested by any witness. These two questions were argued by Mr. Jackson, on behalf of the prisoner, before all the Judges. The first, that the transfer of the stock made to William Harrison was not accepted by him, and therefore it was contended that William Harrison was not the proprietor, nor capable of transferring the stock. But to this two answers were given, first, that by the transfer, the property did vest in William Harrison; and if he had died before he had accepted it, yet the stock would have gone to his executors, as part of his personal estate; secondly, if William Harrison had no stock, that would not vary this case; for the transfer forged by the prisoner is complete on the

face of it, and it imports that there is such stock to be transferred; if there was no stock in the name of William Harrison, the attempt to transfer such stock is more daring and impudent, but neither the forgery or the fraud are less complete. The other objection was, that the signing of a transfer of stock in the books kept by the Governor and Company of the Bank of England, was not complete as a transfer until it was witnessed, but the Judges were all of opinion that a transfer is complete without such attestation; for the attestation is no part of the instrument, and is only required by a regulation of the Bank for their own protection. In the case of Bank notes, a regulation is required that the number of the note should be put at each end of it, but if the number be put at one end only, there is no doubt but the note would be good, and therefore making a false note of that description would be a forgery. For these reasons all the Judges were of opinion that the conviction was proper.

William Graves was tried and found guilty of breaking and entering into the dwelling house of William Hood, and stealing thereout several articles.

Graves was seen going into the house by William Fielder, who gave the alarm, pursued, and took the prisoner. The servant deposed that her master's bureaux were broken open.

The Jury found the prisoner—*Guilty*.

Gade and Graves were executed together, August, 1796.

It is a melancholy reflection that the numberless examples which have been made for these offences, will not deter others from committing them.

*Anecdotes*

*Anecdotes of SARAH PENELOPE STANLEY, a remarkable Character, who was tried and convicted at the Old Bailey, for stealing a Cloak, 1796.*

SARAH PENELOPE STANLEY was born at Mercival-hall, in Warwickshire, the seat of Mr. Stratford, to whom her father was steward, whole name was Brindley. She was put apprentice to a milliner at Litchfield, and married to a shoe-maker. Her husband being an idle dissolute fellow, they were reduced to very indigent circumstances. She left him to come to London. Having had a good education, and writing an excellent hand, she put on men's apparel, and for some time wrote for gentlemen in the Commons; but meeting with a recruiting serjeant at Westminster, she engaged to serve in a regiment of light horse, then raising, called the Ayrshire Fencible Cavalry.—She served upwards of a year with great credit to herself, and was promoted to the rank of corporal; rode extremely well, and had the care of two horses; but was discovered at Carlisle to be a woman, when she was honourably discharged, after many marks of friendship shewn her, not only by Major Horsley, in whose troop she rode, but by the other officers, and many of the inhabitants of Carlisle. She came to town, was much reduced, and through mere necessity, stole the cloak for which she was tried and convicted. She acknowledged her crime, said it was the first offence of the kind she had committed, and meant to make satisfaction. The Court passed a slight sentence upon her, and she was discharged from Newgate. The two under-sheriffs, and the keeper, gave her some money to provide her a



few necessaries; and she departed in hopes of getting a service. She was a likely stout woman, aged 30 years, and not in appearance masculine.

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*The Trial, Execution, &c. of FRANCIS DUNN, alias DEPUTY, WILLIAM ARNOLD, and WILLIAM RYAN, for wilful Murder, Dec. 4th, 1796.*

**F**RANCIS DUNN was indicted for the wilful murder of David Brewer, by giving him several wounds on the head, and in the side, with a clasp-knife, on Thursday, the 10th of November, 1796; and William Arnold and William Ryan, for aiding and abetting him in the said murder.

On the night of Wednesday, the 9th of November, the patrols observed two men go up Pipe-makers-alley, near Cow-Cross, and, following them up, observed one of them, which proved to be Dunn, with a knife in his hand. They interrogated him as to what he was doing with it; but he refusing to satisfy them, they took him to the watch-house, of which the deceased Mr. Brewer was the keeper; however, as they had no charge against them, and a publican appearing in their behalf, they were discharged.

The next night there was a club held at the Sun, Cow-Cross, at which, among others, was a witness of the name of Toombs, who stated, that, on his refusing to sing, several persons insulted him; and that the prisoner Dunn even went so far as to tear his coat, on which he went down, and brought up three watchmen. On their coming into the room, and one of them proposing to  
secure

secure the door, they all to the amount of twenty-five or twenty-six, began to attack the watchmen. Dunn knocked one of them down, and they were glad to get out of the house, in doing which they were followed by the whole that were in the room.

From one Harris, another of the club, it appeared, that when they got into the street, they missed one of their party, whereupon they returned to the Sun, and finding the door fastened, Dunn and Ryan got in at the window, and then opened the door for the rest; but not finding their companion, one of them suggested he might be taken to the watch-house, to which Dunn went first, Williams next, then Arnold, and the rest followed. Another witness and the deceased Brewer, seeing them coming, shut to the upper part of the door, it shutting with a hatch; this they soon forced open, and three of them entered; when two women swore to seeing one of them strike Mr. Brewer over the head, and another punching him on the side. They then came out, and being met by another party, Dunn said to them, "Damn him, I've cut his bloody eyes out." Dunn at this time had a knife in his hand, which, as he came out of the watch-house, he was noticed to wipe on his coat; Arnold also had a knife in his hand; and it was proved by several witnesses, and two accomplices, that the whole party proceeded in a riotous manner, knocking down several watchmen, and that Dunn in particular kept his knife in his hand, and seeing one of the patrol at the corner of the street in their way, he ran up to him, and cut him under the chin, and his coat behind; and after this he made  
a thrust

a thrust at a gentleman whom they met as he was turning up Saffron hill.

After they left the watch-house, Mr. Brewer came to the door, wiping his face, and standing, as the witnesses termed it, in his blood; he was afterwards taken to St. Bartholomew's Hospital, and the Saturday evening he expired; previous to which, however, he said to one Willey, and to Coleman, that he was a dead man, and that he believed the man whom they brought to the watch-house the night before with a knife, was one of them that had cut him, and the cutting drover another.—On being asked if they meant Arnold they said yes.

The surgeon described Mr. Brewer to have received three wounds, one at the top of the head through the skull; another in the left temple down to the chin, which went the whole length to the bone; and a third under the blade bone of the right shoulder, three inches long, and one inch deep; these wounds brought on an inflammation, that inflammation a fever, and were consequently the cause of his death.

Arnold was taken the next day in Smithfield; Ryan a few days after on board the Sans Pariel, at Spithead; and Dunn in the neighbourhood of Cow-crofs.

Being called upon for their defence, Ryan said, conscious of his own innocence with respect to the murder, he should leave it to his Counsel.

Mr. Justice Grose then summed up the evidence, and explained the law upon the case, particularizing the different points, as far as they were corroborated against either or all the prisoners, observing also the difference, as it appeared to him, there was in the guilt of the prisoners.

The



The Jury, after remaining out of Court about twenty minutes, brought in their verdict—Dunn and Arnold, *Guilty*—Ryan, *not Guilty*.

As the Recorder was proceeding to pass sentence on them, Dunn said he had a favour to beg of the Court, which was, that as but one life had been lost, the law would be satisfied with one as an atonement. He sought not to save his own life, for he had unfortunately for the last ten years committed innumerable offences; and therefore, if mercy could be shewn, his fellow-sufferer was more deserving of it than himself; all he could hope for was the indulgence of a little more time than was commonly allowed in these cases, to make his peace with God.

The Recorder declared it was not in his power to grant either, and then pronounced the sentence to be executed on Monday following, and their bodies delivered to the surgeons for dissection.

These unfortunate men were brought, pursuant to their sentence, on the platform at a quarter before nine o'clock; Arnold came on first; and addressing himself to the spectators, exclaimed several times, "I declare to God I die innocent; I never saw the man who was murdered! I am innocent of the crime!" Before they joined in prayer, they shook hands with each other; Dunn was quite resigned, and extremely penitent. Mr. Villette exhorted the other to make confession, as some atonement for his guilt; but he shook his head, and persisted to the last in declaring his innocence. When the Ordinary left them, Arnold turned round from his fellow-sufferer, as if he wished to see some of his old acquaintance. The Executioner then drew the cap over his face, and they were both turned off in the presence of an immense



immense concourse of people. Dunn was dressed in black, and Arnold in a brown great-coat, with a new blue apron.—The latter was a drover. After they had hung the usual time, their bodies were conveyed to the Surgeons Theatre in Lincoln's-inn-fields, for dissection.

We may learn from the fate of these men the danger of incurring or joining in a riot—though we meet not with the malicious intent of spilling blood, yet if we take or assist in taking away a life it is looked upon as *wilful* murder!

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*Trial and Execution of JOHN DYER, for Forging an order for payment of 840l. with the name of MICHAEL BRAY.*

**J**OHAN DYER was charged with having forged an order for the sum of 840l. with the signature of Michael Bray, directed to Messrs. Hoares, to pay to Sir Edward Hales, Bart. the above sum.

The clerk to Messrs. Hoares deposed that he paid the prisoner the above sum on his presenting the draft, in Bank notes. The draft was dated, “Lincoln's Inn, July 23, 1796.”

Michael Bray, Esq. said the prisoner quitted his employ July 23—he sent him a note of excuse that he was obliged to go and see a friend. He heard nothing of him afterwards till he was in custody.

On being cross-examined he said the prisoner behaved extremely honest and well—he had a very good character.

The prisoner being called on for his defence, said,

said he left it to his counsel; but with submission, would be very glad Mr. Bray would produce that letter he said he received from him, wherein he gave his address—declared he would pay him every attention and make every atonement—that it was only a flash of madness.

The learned Judge addressing the Jury said, the single question for their consideration was, whether the unfortunate prisoner actually forged the draft or uttered it knowing it to be forged.

The jury found the prisoner *Guilty*.

Mr. Bray addressing his Lordship recommended the prisoner to mercy, and Mr. Baron Hotham, desired a minute of the recommendation to be made and shewn to the Recorder.

This unfortunate man who was 34 years of age, suffered December 7th, 1796.—He was a very short time on the scaffold, and few populace attended on the occasion, there being nothing singular attached to his case.

How lamentable, that the numbers which have suffered for forgery, have such little effect upon unthinking youth.

*Account of the horrid Murder committed by JAMES M'KEAN of Glasgow, and his Execution for the same.*

**T**HIS shocking murder was committed on James Buchanan, carrier, between Glasgow and Lanark, by James M'Kean, in the following manner. About six o'clock on a Friday evening, Buchanan called at M'Lean's house, who conducted him into a room, and instantly cut his

throat with a razor, which divided both the carotid arteries, and robbed him of his watch and a considerable sum in money. A noise having excited some surprise in his wife, she ran to the door, which was opened by M'Kean. Alarmed at the sight of some blood lying on the floor, she shrieked murder, on which her husband instantly ran off. The body of Buchanan, was found in a closet, by people whom her cries had brought to the house; and the razor reeking with blood.

M'Kean was apprehended at Lamash, in the Isle of Arran, on Sunday. Next morning he was conveyed to Glasgow in a post chaise: on his arrival, about eight o'clock, the joy of the populace at his apprehension could not be restrained: they hailed the officers with loud acclamations, and the air resounded with huzzas when they saw him securely lodged in goal.—Buchanan's pocket-book, containing bank notes to the amount of 118l. his watch, and several papers were found upon M'Kean. On his examination by the magistrates, M'Kean confessed the robbery, but endeavoured to palliate the charge of murder.

This wretch being found *Guilty*—was executed January 25, 1797, at the Cross of Glasgow, on a new erected gibbet. He appeared on the scaffold, dressed in white, about ten minutes after three; proceeded to the front with a firm and undaunted air, holding a paper in his hand, and after saying a few words to the multitude, which was immense (about *twenty thousand*) he gave it to one of the town officers. About ten minutes thereafter, he mounted the platform with much indifference, and after praying a few minutes was launched into eternity, without one sympathizing tear from the surrounding multitude.

Murder



Murder is such an heinous offence, that when the criminal suffers, few can commiserate his pangs.

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*Particulars of the dreadful Murder of J. WOOD,  
and the Execution of THOMAS WILMOT  
OLIVER the Murderer.*

THE following are authentic particulars of this horrid murder which was committed in Staffordshire, January 27, 1797.

Mr. Oliver, a surgeon and apothecary of Burslem, had, for a considerable time past, entertained a strong attachment for Miss Wood, daughter of Mr. Wood, of Brown-hills, near Burslem; but the connection on some account being disagreeable to the family, Mr. Wood some time since forbade Mr. Oliver to enter his house. Mr. Oliver could not bear with patience this disappointment, and resolving to seek satisfaction, he went to Mr. Wood's house, early on a Friday morning, before Mr. Wood was up, and sent one of the servants up stairs to say that he, Mr. Oliver, wished to speak to him. Mr. Wood immediately dressed himself, and went down into the counting house, and supposing that Mr. Oliver had come to receive the amount of his apothecary's bill, sent his clerk into the parlour to Mr. Oliver with the money to discharge it.

Mr. Oliver informed the clerk, that the business he had to settle must be done with Mr. Wood himself; the clerk accordingly delivered this message to his master, who went to Mr. Oliver, when the latter presented his bill, and soon after



pulled out a brace of pistols from his pocket, while Mr. Wood's back was turned: the clerk seeing them, asked what those were for? At that moment Mr. Wood turned towards Mr. Oliver, who instantly levelled the pistol at Mr. Wood, the other at himself; that pointed at Mr. Wood immediately went off, and shot him in the body. The clerk then knocked the other pistol out of his hand before it was discharged.

Mr. Wood exclaimed, "Sir you have killed me."—Mr. Oliver replied, "it is what I intended." The family being alarmed, a surgeon was sent for; Mr. Oliver told him it was useless, as Mr. Wood would be a dead man in two hours; and I too said Mr. Oliver, shall be dead before I leave this room.—At that instant, he put something into his mouth, which it appeared afterwards was poison; but providence frustrated even his second attempt to destroy himself; for the dose being too strong, he threw it off his stomach. Mr. Wood languished till the following Monday, when he died.

Thomas Wilmot Oliver was tried at Stafford Assizes in August, and after a very long examination of witnesses, found *Guilty*, and sentenced to suffer death on Monday, and his body delivered to the surgeons for dissection. A plea of insanity was brought forward, which was endeavoured to be proved hereditary; and Doctors Arnold and Johnstone, who had examined Mr. Oliver in March last, gave evidence tending to prove a mental derangement in him.

On Monday, Mr. Oliver suffered pursuant to his sentence, amidst a commiserating multitude. His behaviour was calm and resigned to his fate. He requested the following memorandum might be

be made public: “ I die unconscious of the imputed guilt for which I suffer; I am in perfect charity with all mankind, and repose that hope, which becomes me as a man and a christian, in the justice and mercy of my heavenly judge.

Signed, T. W. OLIVER.”

We are sorry to add to this dreadful recital, that Mr. Oliver had for several years past, associated with characters who endeavoured to reason themselves into a belief of atheistical sentiments, several of whom had been known to declare, that they thought a man had a right to terminate his existence whenever it became burthensome to him.—The *horrid consequence* arising from these principles, has such an obvious tendency toward the utter destruction of all society, that any observation becomes totally unnecessary.

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*Particulars of JOHN DOBBINS, who was Executed for the wilful Murder of JONATHAN PARTINGTON, near Evesham.*

THE peculiar atrociousness of Partington's offence excited much of the public curiosity at Worcester assizes, and the Court was consequently greatly crowded. The prisoner having pleaded not guilty, and Mr. Plumer, one of the Counsel for the prosecutor, in an affecting, yet candid speech, addressed the Jury, and disclosed the circumstances which led to the suspicion, the apprehension, and finally, the conviction of the prisoner; the most strong of which were, his having been seen in company of the deceased, when the latter was receiving money the evening  
on

on which the murder and robbery were perpetrated—his having been observed by three witnesses to follow him on the road within a mile of the fatal spot—his own bloody clothes and latching hatchet—the many different and irreconcilable accounts he gave of himself when he was apprehended, and afterwards, but last of all, the death-bed declaration of Partington himself, who, when the prisoner was shewn to him, exclaimed, “ah! you are the man who has done me this sad injury;”—this was often repeated by the deceased when he believed the awful hour of his dissolution was fast approaching.

After the learned Judge Lawrence had, in a most clear and comprehensive manner, summed up the evidence to the Jury, they immediately found him *Guilty*.—During the whole of his trial, he betrayed no “compunctious visitings of nature.” The production of the blood, besmeared clothes, the fatal hatchet, the hat of Partington cut in many places, and the surgeon’s description of his frightful wounds, produced no apparent symptoms of dismay or remorse.

After a most pathetic and solemn exhortation to repentance, the Judge pronounced the awful sentence of the law, the last words of which did wring from his stubborn eye one solitary tear.

He was executed March 30, 1797, and his body given to be dissected and anatomized.

Such are the ways of the wicked—“They are set in slippery places—suddenly perish and are no more seen!” Though they may seem deaf to the voice of conscience, yet the time will come, and speedily, when this inward monitor *must* be heard!

Execution



*Execution of REBECCA HOWARD, for the Murder of her Bastard Child.*

AT the Norwich Assizes, August, 1797, Rebecca Howard, was tried for and convicted of the wilful murder of her bastard child. Her behaviour during trial was firm and collected, but while the Jury were deliberating on the verdict she swooned away.

Previous to the time of execution, she conducted herself with the greatest propriety. On Wednesday, at about twelve o'clock, she was conveyed from the city goal to the castle ditches, attended by the chaplain and a preacher of the methodist society. When arrived at the gallows, after singing a psalm with peculiar emphasis, she addressed herself to the spectators, exhorting them to a due observance of the sabbath, and to place all their confidence in God, which, if they did, all other things would be added to them. She then sat down. Being asked if she was ready, she said, "stop, I want to say something else." She then earnestly cautioned young folks of her own sex to avoid temptation, and to be on their guard against deceitful men, who had brought her to an ignominious death. She acknowledged the justice of her sentence, thanked the governor of the goal for his humanity and attention, and expressed her forgiveness of all her enemies. Having taken leave of a young man and woman, with an affectionate kiss, she exclaimed, "Lord have mercy on me! God bless you all!" and was immediately launched into eternity.—After hanging the usual time, her body was delivered to the surgeons for dissection.

To murder our little offspring is so unnatural, it calls loudly for vengeance: however guilty or imprudent



imprudent the mother may be, her child, she should consider, is innocent, and if she commits a sin, why aggravate it by the greatest of crimes?

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*The Execution, &c. of MARTIN CLINCH, Bookseller, and JAMES MACKLEY, Printer, for the wilful Murder of SYDEY FRYER, Esq. Attorney; and the confessions of other Criminals respecting their Innocence.*

ON Sunday, May 7, 1797, Mr. Fryer and his cousin Miss Ann Fryer, walked out from her residence, which was in Shepherd Street, Oxford Road, over the fields near White-Conduit House, to visit an Aunt: when they came near the back of Islington-Workhouse, they heard, as they thought, a female voice in distress; upon which Mr. Fryer, contrary to his cousin's advice, leaped over the hedge into the field whence the voice seemed to proceed, but instead of seeing a woman, he met with three men, who, upon his rashly drawing his tuck-stick (the sword of which dropped out) fired, and wounded him a little above the left eye, he fell into a small pond; one of the villains took the watch out of his pocket, and a purse from the lady, another took her cloak. Mr. Fryer being removed to a public house, died in two hours after.

Several were taken up on suspicion, and strictly examined in the presence of Miss Fryer, but dismissed for want of evidence. On the 27th of May, the Worship Street officers apprehended Clinch, Mackley, and one Smith, a chip-hat maker, but no criminality appearing in the latter, he

he was discharged, and the other two fully committed.

The prisoners were most impartially tried by Mr. Justice Grose. They had four Counsel, Const, Knapp, Alley, and Gurney; so that no ingenuity was wanting to plead their cause effectually to the Jury. Indeed there was no *positive* evidence, except Miss Fryer's, who swore to the identity of the two prisoners persons; so that the learned Judge, in his address to the Jury, said:

“ Gentlemen, I will just state to you, in this case, one observation, and I would wish you to carry that observation in your minds throughout; you will find that this case will very much depend upon the evidence of the lady, who has been examined. It generally happens, that the person robbed, is, at the time of the robbery, exceedingly agitated, and, unless they are acquainted with the party robbing before-hand, it is sometimes extremely difficult afterwards to swear to the person; we all know, that an act of this sort is attended with great terrors, particularly if the person happens to be a female; one does not at all wonder at it, and for that reason, where there is only one person in company, who can speak to the fact, surely we must hear the evidence with great attention, and great distrust, not as to the honesty and fairness of the witness, but as to that sort of uncertainty in which the human mind is frequently under in cases of fear, which may not make such an impression on the mind; for which reason I always look for, and I am very happy when I find some corroborating circumstances to shew, that the person robbed is not mistaken, as to the person of the party robbing, and if part of the property can be traced, or if any other person

swears to the persons of the prisoners, or if any body can be found, that can swear that the persons charged with the robbery, were at, or about the spot at the time, all these circumstances of corroboration very much deserve, nay, indeed, require the attention of a Jury."

The Jury having retired for half an hour, returned with a verdict—*Guilty*.

These two men were accordingly both executed before Newgate on Monday following, June 5th, 1797. Their bodies were publicly exposed in a stable, in Little Bridge Street, near Apothecary's Hall; Surgeon's Hall being let to the Lieutenancy of the county, for the accommodation of the militia.

A little before their caps were drawn over their eyes, by some improper management, the platform suddenly went down with the two clergymen, the executioner, and his man. The Catholic priest who attended Clinch, being very lusty, suffered most, but fortunately not materially. When they died, most people were of opinion that their fate was just; but, a short time after, the confessions of three separate criminals, who could have had no interest in taking the crime upon themselves, threw a different light upon the transaction, and recalled to mind the strong assertions which Clinch and Mackley had made of their innocence; for Clinch, upon retiring from the bar, returned thanks to the Court for the fairness of his trial, but observed (though in a rough way) that, though they were condemned to die, and he tiezed afterwards, (alluding to their dissection) they were less guilty of murder than their prosecutrix.

One Burton Wood, who was afterwards executed at Kennington Common, and another, while  
under



under sentence of death, wrote a letter to Carpenter Smith, Esq. Magistrate of Surry, desiring it to be published; accordingly it appeared in several papers, declaring the innocence of Clinch and Mackley, for that they were, with another, not then in custody, the murderers; soon after, the third man suffered, for another offence, at Reading gallows, and made the same confession. His name was Timms, and he died with another, whose travelling appellation was *Leather Rags*, alias William Emery.

Mackley was brought up a pressman, and worked at the Logographic Press. He was very steady to his employ; but Clinch was much addicted to gaming; he had been very virtuously brought up by his parents, but company, and the love of gaiety, occasioned his deviation from honesty. In the early part of his life he had followed the butchery business, afterwards he sold books in Bishopsgate Street.

From the fate of these unhappy young men, for they neither had seen more than 22 years, may be well illustrated that old and true adage, “Bad company corrupt good morals.”

Clinch had been at the bar before in the December Sessions, when he was acquitted, though positively sworn to at Bow Street.

*Particulars of WILLIAM MACKENSY, and JOHN HARRIMAN, executed for Forgery; HENRY PALMER, and MAURICE STANDFORD, for Coining Shillings, &c. and PATRICK KEOUGH, and HENRY IVES, for a Robbery in St. James's Park.*

**W**ILLIAM MACKENSY was tried and convicted of forging, and uttering, knowing it



it to be forged, an order to Edward Wilkinson, with the name of Charles Seymour subscribed, for 10*l.* and drawn upon Pybus and Co. Bankers, in London, with intent to defraud Mary Wetherall, widow. The prisoner went to Mrs. Wetherall's, Wapping, where having agreed for shirts and stockings to the amount of 4*l.* 7*s.* offered this note. The journeywoman said, she had not change at present, the prisoner gave her the name and address of Captain Hawse, No. 25, Burr Street, Wapping, and desired it to be sent to him in an hour's time, or he would call for it; but he never called. Mrs. Wetherall went to Burr Street the next day, and found he was a watch maker.

John Harriman was also tried and convicted of forging an order for five guineas, on the same Bankers, with an intent to defraud Thomas Nelson, a shopman in Bishopsgate Street, with whom he agreed for some articles, and gave this note for payment. The shopman, suspecting the prisoner, followed him through Norton Folgate up the Curtain Road, and took particular notice of the house he entered. He was afterwards apprehended at work in his garden. The articles were also found in the house.

Henry Bartholomew Palmer, and Maurice Standford, were tried and convicted for traiterously making base coin resembling silver. The Police officers, in consequence of an information, went to the Feathers public house, in King Street, Seven Dials, detected the prisoners, with Hannah Palmer, (who was also tried with them but acquitted), The woman was sitting upon the bed-side with a basin on a stool full of false shillings, sixpences, &c. she was rubbing something between her hands. Henry Palmer was by the fire-side  
with

with money in his hand, which he dropped on seeing the officers; and Maurice Standford was at the left-hand side of the room, and threw away the money he had in his hand. They pushed the officers about, and endeavoured to get away,—during the scuffle, the woman threw a bottle and some parcels out of the window, and a gridiron was thrown off the fire. The prisoners were handcuffed, and taken to the public office, Shadwell. Articles which the officers found in the room, were produced. The prisoners made no defence.

Patrick Keough and Henry Ives, two soldiers, were tried and convicted of stopping and robbing John Shepherd, a private watchman, in the service of the Sun Fire Office, of keys, a gold seal, and halfpence, in a field near St. James's Park. They endeavoured to take his watch, but the chain broke.—A serjeant came up and interfered; two of the patrols then coming, the soldiers ran away. The prosecutor was positive to Keough, being the man who collared him; he was taken at his lodgings, and the same morning Ives was apprehended and brought to the watchhouse. Keough surrendered very willingly.

The prisoners delivered written defences, which were read as follow:—

Keough's defence:—"Justly conceiving the embarrassment I should labour under in the presence of this honourable Court, I have committed my defence to paper, having no doubt but I shall meet with some compassionate gentleman who will take the trouble of reading it to this honourable Court. On the night stated in the indictment, I had been drinking at the Greenman, in New Street, Covent Garden, till near two o'clock, and on my departure from the house, not being  
able

able to get into my quarters, and being for guard the next day, I went to Westminster, with an intention to sleep with a comrade, where I kept my best clothes, that I might sooner get dressed; and in Tothill Street, I met with a girl of the town; being rather intoxicated, I went home with her to her lodgings in the Broad-way; while I was getting ready, I was apprehended by serjeant Hemblin, and others; I can only solemnly declare I am innocent of what is laid to my charge, and throw myself upon the mercy of the Court."

Ives's defence:—"On the night on which the prosecutor says he was robbed, I had been drinking in Paved-alley, St. James's Street, till twelve o'clock, and in crossing St. James's Park, in the way to my lodgings, I heard a noise as of men fighting, or struggling; being unwilling to be seen in the Park at that time of night, I made haste to get away, and stumbled over something, which I found was a walking-stick; I heard a cry of stop thief, and was stopped by the sentinel; when serjeant Hemblin, and the prosecutor, came up, and owned the walking-stick; I am entirely innocent of it. With respect to Keough, I had not seen him for twenty-four hours before."

These unfortunate men were about 24 years of age, John Harriman 27, Mackensy 39, Palmer 34, and Standford 37.

They were all executed together, pursuant to their sentence, August 2, 1797.

Palmer, Standford, and Keough, were attended by a Romish priest. They behaved with a decency becoming their unhappy situation, and were launched into eternity about a quarter past eight o'clock.

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The ignominious departure of six together from this world should, and we hope did, leave a proper impression upon all those who witnessed it.

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*Execution, &c. of THOMAS BENNETT, for Forgery; SAMUEL CHESTER, and THOMAS PERRY, for Highway Robbery.*

**T**HOMAS BENNETT was indicted for having forged an acceptance to an order for 273*l.* on Messrs. Bonds, Bankers, 'Change Alley.

The clerk to Messrs. Bonds said, that the prisoner kept cash at their house, and had deposited three bills of Exchange: three days after he came and filled up two drafts for the sum of between 3 and 400*l.* The witness said, the account was overdrawn, when the prisoner, with surprise, asked, were not those bills he left discounted, pressing very much for the money, and saying, there were other securities in Mr. Bond's hands, which would more than cover the sum; they were India Bonds; the prisoner gave his checks, to be accommodated for 376*l.* 13*s.* 8*d.*—The witness visited Mr. Bennett when in the Poultry Compter, said, he deplored his situation, as his accounts were considerably overdrawn, and the warrants he discovered to be forgeries. The prisoner was very much embarrassed, and said he knew that he was a *dead man*. The witness then said, he supposed the bills were of the same description; he acknowledged they were, and implored his secrecy, but the witness said it did not rest with him.

Mr. Patrick Thompson, Great James Street,  
Bedford



Bedford Row, said, the acceptance to the bill was not his hand-writing.

The Jury found the prisoner—*Guilty*.

This man had been tried before on a similar charge to defraud the same persons. The person's name who was made the acceptor of this forged bill, was Mr. William Coslett, Sugar-refiner, Great Jordan Street, Whitechapel. He did not appear against the prisoner, but witnesses denied it to be his hand-writing, and believed it to be Bennett's. Several respectable persons gave the prisoner a good character, and the Jury then acquitted him. The same persons appeared on the second trial, but their report of his character had now no effect.

Samuel Chester and Thomas Perry were tried for stopping Samuel Tingey on the highway, and robbing him of his pocket-book and money. The prisoners did not use the prosecutor ill, but Perry got from his horse, cut the girths of Tingey's horse, and the bridle reins, then mounted and rode off. He observed their faces particularly at the time of the robbery, and knew them perfectly when they were apprehended.

The prosecutor being cross-examined, acknowledged he was frightened, but still he observed their faces.

John Rivett, one of the Bow Street officers, said, he found in a cradle, in Perry's lodgings, a bag with money, and also two loaded pistols.—In Chester's pocket he found some guineas; in searching his lodgings, he found more in an old handkerchief which lay in a bonnet-box.

The Jury found both prisoners—*Guilty*.

These three unfortunate men were executed together, June 21, 1797.

Though

Though they departed this world with shame, it was attended with sincere repentance, which we trust, has washed away their many crimes.

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*An Account of the notorious Mutineer RICHARD PARKER, with an interesting detail of his Execution, and Mrs. PARKER's endeavours to recover his body.*

**P**ARKER, who rendered himself so conspicuous among the mutineers of the Fleet, in 1797, was descended from a respectable family in Exeter. He obtained a good education, was bred in the navy, and, about the conclusion of the American war, was an acting lieutenant in one of his Majesty's ships. He soon came into the possession of a considerable sum of money, and shortly after he arrived in this country, and married a farmer's daughter in Aberdeenshire, with whom he received a decent patrimony. At this time, being without employment, he devoted himself to every species of dissipation, which soon finished his fortune, and involved him in debt, on account of which he was cast into the goal of Edinburgh; where he was at the time the counties were raising seamen for the Navy. He then entered as one of the volunteers for Perthshire, received the bounty, and was released from prison, upon paying the incarcerating creditor a part of his bounty. He was put on board the Tender then in Leith Roads, commanded by Captain Watson, who carried him, with many others, to the Nore. On the passage, Captain Watson distinguished Parker, both by his activity and polite address.

He was now known in the mutinous Fleet by the appellation of *Admiral Parker*, for Captain Watson, of the Leith Tender, before he sailed from the Nore, was ordered by the crew of the Sandwich to come on board, which he did, and was then introduced to, and interrogated by Parker, whom he knew on first sight. Parker also recollected him, and from this circumstance he experienced great favor. Parker ordered every man on board to treat Captain Watson well, saying, he was a seaman's friend, and had treated him well, and that if any man used him otherwise, he should instantly be——Here he pointed to the rope at the yard-arm.

Captain Watson took an opportunity of hinting to Parker the impropriety of his conduct, and the consequences that might follow : it seemed to throw a momentary damp on his spirits ; but he expressed a wish to wave the subject, and Captain Watson left him, having obtained permission to proceed on his voyage.

The mutiny having been happily suppressed, and a considerable reward offered for the apprehension of Parker, the accounted ringleader, on the arrival of Lieutenant Mott, with the proclamations, &c. the crews of all the ships readily submitted. Parker himself could not oppose this spirit. In consequence of this, the Sandwich, came under the guns of Sheerness, and Admiral Buckner's boat, commanded by the cockswain, and containing a picquet guard of the West York militia, went on board to bring Parker on shore. Several of the officers of the Sandwich were on deck, and but very few of the men appeared. As soon as Parker heard a boat was come for him, he surrendered himself to four of the ship's crew, to pro-

protect him against the outrages of the other seamen, whose vengeance he feared.

Admiral Buckner's cockswain told the officers on deck his business, and claimed their assistance. The Lieutenant drew his sword, and the party consisting of eight or ten, went down below, where Parker was surrendered into their hands. They tied his hands together behind, and the officers conducted him into the boat, which had eight or ten rowers, and a party of the West York militia seated in the head with their faces towards the stern, and their muskets held upright in their hands ready charged. Parker was seated in the stern part, with his face towards the head; behind him was the cockswain, and before him the Lieutenant of the Sandwich, holding a drawn sword over him. Parker, on landing, was much hissed, on which he said aloud, "Do not hoot me. It is not my fault. I will clear myself."

Parker was sent to Maidstone goal from Sheerness, under a strong guard; besides which a rope tied his arms together behind his back.

Parker, after a long trial which commenced soon after his apprehension, was found *Guilty*.—His defence, which he had some time allowed to prepare, he read from a paper, but with much rapidity and little feeling.

After a solemn pause of near ten minutes, the Lord Advocate rose, and, with his head uncovered, read the awful sentence, viz.—"The Court adjudges Richard Parker to suffer *Death*, and to be hanged by the neck, on board any one of his Majesty's ships, and at such time as the Lords of the Admiralty may think proper to appoint."



The prisoner listened to the sentence without emotion ; and addressed the Court as follows :

“ I have heard your sentence ; I shall submit to it without a struggle. I feel thus, because I am sensible of the rectitude of my intentions. Whatever offences may have been committed, I hope *my* life will be the only sacrifice. I trust it will be thought a sufficient atonement. Pardon, I beseech you, the other men ; I know they will return with alacrity to their duty.”

The President then briefly addressed himself to the prisoner. He said, that notwithstanding the enormity of the crimes, of which he had been found guilty on the fullest and clearest evidence, yet the Court, in order to afford him the necessary time to expiate his offences, and to make his peace with God, would not then name any day for his execution, but leave that point to the determination of the Lords of the Admiralty.

The prisoner then withdrew, and was soon after put in irons.

The time of Parker's execution was fixed for Friday, June 30th—At eight o'clock in the morning a gun was fired from on board his Majesty's ship *L'Espion*, lying off Sheerness garrison. Vice-Admiral Lutwidge's flag ship, and the *yellow flag*, the signal of capital punishment, was hoisted, which was immediately repeated by the *Sandwich*, hoisting the same colour on her fore-top.

The prisoner was awaked a little after six o'clock from a sound sleep, by the Marshal Provost, who, with a file of marines, composed his guard ; he arose with cheerfulness, and requested permission might be asked for a barber to attend him, which was granted ; he soon dressed himself in a  
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neat suit of mourning, (waistcoat excepted), wearing his half-boots over a pair of black silk stockings: he then took his breakfast, talked of a *will* he had written, in which he had bequeathed to his wife a little estate he said he was heir to; and after that lamented the misfortune that had been brought on the country by the mutiny, but solemnly denied having the least connection or correspondence with any disaffected persons ashore; and declared, that it was chiefly owing to him, that the ships had not been carried into the enemy's ports.

At half past eight, he was told the chaplain of the ship was ready to attend him to prayers upon the quarter-deck, which he immediately ascended, uncovered; at his first entrance on the deck, he looked a little paler than common, but soon recovered his usual complexion; he bowed to the officers, and a chair being allowed him, he sat down a few moments—he then arose, and told the clergyman he wished to attend him: the chaplain informed him he had selected two psalms appropriate to his situation; to which the prisoner assenting, said, “And, with your permission, Sir, I will add a third,” and named the 51st. He then recited each alternate verse in a manner peculiarly impressive.

At nine o'clock, the preparatory gun was fired from L'Espion, which he heard without the smallest emotion. Prayers being soon after closed, he rose, and asked Captain Moss “if he might be indulged with a glass of white wine?” which being granted, he took it, and lifting up his eyes, exclaimed—“I drink first to the salvation of my soul! and next to the forgiveness of all my enemies!”—Addressing himself to Captain Moss, he  
said

said, " he hoped he would shake hands with him ;" which the Captain did ; he then desired " that he might be remembered to his companions on board the Neptune ; with his last breath sent an entreaty to them, to prepare for their destiny, and refrain from unbecoming LEVITY ! " His arms being now bound, the procession moved from the quarter-deck to the fore-castle, passing through a double file of marines on the starboard side, to a platform erected on the cat-head, with an elevated projection. Arriving there, he knelt with the chaplain, and joined in some devout ejaculations ; to all of which he repeated loudly, " Amen." Rising again, the Admiral's warrant of execution, addressed to Captain Moss, was now read by the clerk, in which the sentence of the Court Martial, order of the Board of Admiralty, and his Majesty's approbation of the whole proceedings, were fully recited, which the prisoner heard with great attention, and bowed his head, as if in assent, at the close of it. He now asked the Captain, " whether he might be allowed to speak ? " and immediately apprehending his intention might be misconceived, he added—" I am not going, Sir, to address the ship's company !—I wish only to declare, that, I acknowledge the justice of the sentence under which I suffer ; and I hope my death may be deemed a sufficient atonement, and save the lives of others ! "

He then requested " a minute to collect himself," and knelt down alone, about that space of time : then rising up said, " I am ready ;"—and holding his head up, said to the boatswain's mate, " take off my handkerchief ;" (of black silk) ; which being done, the Provost Marshal placed the halter over his head, (which had been prepared

pared with grease,) but doing it awkwardly, the prisoner said rather pettishly to the boatswain's mate, "Do you do it, for he seems to know nothing about it!" The halter was then spliced to the reeve rope; all this being adjusted, the marshal attempted to put a cap on, which he refused; but on being told it was indispensable, he submitted, requesting it might not be pulled over his eyes till he desired it. He then turned round, for the first time, and gave a steady look at his shipmates on the forecastle, and, with an affectionate kind of smile, nodded his head, and said, "Good bye to you!"—He now said, "Captain Moss, is the gun primed?"—"It is."—"Is the match alight?"—"All is ready."—On this he advanced a little and said, "Will any gentleman be so good as lend me a white handkerchief for the signal?" After some little pause, a gentleman stepped forward and gave him one; to whom bowing, he returned thanks:—he now ascended the platform, repeated the same questions about the gun; then the cap being drawn over his face, walking by firm degrees up to the extremity of the scaffold, he dropped the handkerchief, put his hands in his coat pockets with great rapidity, and at the moment as he was springing off, the fatal bow gun fired, and the reeve rope catching him, run him up, though not with great velocity, to the yard-arm. When suspended about midway, his body appeared extremely convulsed for a few seconds, immediately after which no appearance of life remained.—It being tide of ebb, the starboard yard-arm pointed to the Isle of Grain, where scaffolding was erected for the spectators on shore:—a considerable number of yatches, cutters, and other craft,



craft, surrounded the Sandwich :—the last time the prisoner knelt with the Chaplain at the cat head, though he made his responses regularly, his attention was particularly directed the whole time to the armed boats of the fleet, which were plying round on duty ! The whole conduct of this awful ceremony was extremely decorous and impressive : it was evident, from the countenance of the crew of the Sandwich, that the general feeling for the fate of their mutinous conductor was such as might be wished : not a word, and scarce a whisper was heard among them.

The behaviour of this unhappy man, throughout the whole of his trial, was firm and manly ; while he was before the Court, decent and respectful ; and from the time he received his sentence, till his execution, resigned and penitent—The uncommon fortitude he displayed during his trial did not forsake him even in the last moments of his wretched existence.

The day before his execution, Mrs. Parker presented a petition to the Earl of Morton, to be delivered to the Queen, in favour of her unfortunate husband. Her deportment was becoming her unhappy situation.

After delivering her petition in favour of her husband, she waited at St. James's till five o'clock in the afternoon, on Thursday, the 29th of June ; when losing all hopes of a favourable answer, she proceeded into the city, and got into a coach setting off for Rochester, where she arrived about eleven o'clock that evening. She immediately agreed with a boatman, who was going to Sheerness with garden stuff, to take her on board at four the next morning, which was that, fixed for her husband's execution. She embarked accordingly,

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as soon as the tide would serve, and got down along-side the Sandwich about seven.—The sentinels ordered the boat off; she desired permission to speak with Richard Parker—the answer was, that if the boat did not put off, they must fire into it.—In spite of her remonstrances, the boatman now proceeded to Sheerness, assuring her, that as the yellow flag was not up, no execution would take place that day.—She instantly procured another boat from the garrison dock-stairs, and as she was rowing up to Blackstake, she observed the fatal flag hoisted on board the Sandwich: her application was renewed with tenfold entreaties to get on board, but to no effect: and again she was taken back to Sheerness, the waterman having stipulated only to put her on board the Sandwich, and being obliged to go back for persons he was engaged to carry. She hired a third vessel with no more success; for just as she approached the ship, she saw the fatal procession of her husband from the quarter-deck to the fore-castle, when shrieking out “Oh my dear husband!” she fainted away. On recovering, she saw him mount the platform on the cat head, and the clergyman in his robes go from him, and from that moment she says she “saw nothing but the sea, which appeared covered with blood!”—thus senielets, she was rowed a third time on shore. She embarked in a fourth boat, and saw him from a distance at the yard-arm, just before he was lowered down; by the time she reached the ship, the body had been received into a shell, and carried away for interment:—she had now access to the ship’s side, and learnt that it had been conveyed away in a boat, to be buried at Sheerness:—she immediately went back to the garrison, and

after much difficulty, got access to Vice-Admiral Lutwidge, and in bitterness of grief, solicited permission to remove the corpse, which she had previously learnt was deposited in the new burying ground.—The Admiral asked her for what purpose she wished it? she answered, “to have him interred like a gentleman, as he had been bred.”—The Admiral not acceding to her wish, she departed, and endeavoured, by every means to find out who kept the key of the place of interment, which is inclosed by a new stockade fence, nearly ten feet high.—Not being able to procure it, she went about ten o’clock that same evening, and seeing three women near the ground, she imparted to them who she was, with her design of her recovering the body of her husband, and requested their assistance, to which they readily assented. She directly ascended the gateway, and helped the women, till all got over; when with their hands alone they removed the earth that covered the coffin, which was laid but a little way in the ground: having raised it, they contrived to get it over the gate, and then sat upon the coffin, to conceal it from the sentinels of the Barrier Gate, hard by, till four o’clock in the morning: the drawbridge being now wound up, a fish-cart came out of the garrison, on its way to Rochester, when she prevailed upon the driver to convey the body to that place for a guinea, which he undertook. Arriving at Rochester, she agreed with the driver of a caravan, to take it to town for six guineas more, and deliver it at the Hoop and Horse-shoe, Queen-street, Little Tower Hill, where, it seems, she had hired a room for the purpose, and brought the key in her pocket. As soon as the corpse had arrived  
on

on Saturday evening, and it was known whose body was deposited there, the people began at first to assemble through curiosity : but afterwards some, from other motives, introduced themselves to this unfortunate woman, on the pretence of *charitable sympathy*, requesting they might be permitted to see her husband interred in a manner suitable to his condition. The concourse of visitants encreased on Sunday, and on Monday, to a number which called upon the Magistrates for their interference. Mrs. Parker was desired to attend the Police Office, in Lambert-street, where she was interrogated respecting her intentions in the removing the body of her husband from Sheerness? her answer was, “ to take him down, either to his own family at Exeter, or to her’s in Scotland, and bury him like a Christian !” She was then asked, whether it was true, as it had then been reported, that she had suffered him to be shewn for money? she burst into a flood of tears, and replied, “ *Do I appear like a monster so unnatural?*—It proved afterwards that there was not the smallest foundation for so injurious a report. The Magistrates, on finding that some of the disaffected Societies were inclined to make the funeral a spectacle for the purposes of tumult, ordered the corpse on Monday to the Workhouse in Nightingale-lane, and interment to be made of it in Aldgate Churchyard the next morning, at eleven o’clock; hearing however, that a large body of people were assembled in the Minories all that evening, and that a more tumultuous assembly might be expected the next day at the funeral, they prudently directed the body to be removed at one o’clock the morning before, to the burying vault of Whitechapel church. In the afternoon,



Mrs. Parker, at her particular request, was permitted to attend, and to behold it, for the last time, by the coffin-lid being taken off; afterwards the funeral service was performed by the Rev. Mr. Wright, the Rector, when the whole of this extraordinary transaction terminated to the perfect satisfaction of the unfortunate, and pitiable relict, as the following attestation on her part, fully certifies:—

## COPY.

LONDON, *July 4, 1797.*

“ I Ann Parker, wife of the late Richard Parker, deceased, do hereby certify, that, at my particular request, I have this day seen the body of my late husband, in the Burying Vault of St. Mary, Whitechapel, by permission of the Rector, and Church Warden of the said parish; that the burial service was duly performed over him, and that I am perfectly satisfied with the mode of his interment, and the indulgence that I have received from the minister, and officers of the said parish.

(Signed) ANN PARKER.”

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*Circumstantial Account of the remarkable Trial of  
JOHN BRIANT for a Rape, and RICHARD  
BARBER for Forgery, with their Execution, &c.*

JOHN BRIANT was indicted at the Old Bailey, Sept. 23, 1797, for a rape on the body of Jane Bell, in the Green Park, St. James's, on the 19th of July.

Jane Bell said, that she believed she was between fourteen and fifteen years of age, and that she lived with Mrs. Pollock, who sold milk in St.

James's

James's Park; that about nine o'clock in the evening of the 19th of July, her mistress untied the cows, and she followed to put them into the Green Park; having done so, as she was going to lock the gate, the prisoner came up and asked her what she was doing? on which she replied, "What's that to you?"—He asked her to go with him, but she refused; on which he took her up under one arm, putting his other hand over her mouth, as she cried out, and carried her to the slope by the basin, near Constitution-hill, where, notwithstanding her utmost resistance, he accomplished his purpose, she continuing to cry out whenever she could get his hands from her mouth, until a young man and woman came up to her assistance.

On her cross-examination, she said, her mistress's cows stood near the entrance of the Park, where she was constantly with them, and sometimes by herself. She denied that she was ever at any public-house with the prisoner; declared she did not either know Clarges-street or the Westminster Infirmary, and repeatedly declared that she had never seen him before that time.

John Smith, walking along the Green Park with Sarah Scott, heard the girl cry out, and the young woman advised him to go to her assistance; he did so, and found the girl screaming, in the situation before described. On this the witness called him a rascal, and asked him what he was about with the child; he got up and said, what was that to him, he knew the girl;—the girl telling the witness she knew nothing of him, the prisoner ran away, and he followed him towards Hyde Park, and brought him back to the girl: he then  
took

took him, with the girl, to her mistress in Westminster, when a constable was sent for.

Sarah Scott corroborated the testimony given by Smith.

John Bligh, the constable, took the prisoner into custody.

Mr. Winterbottom, an apothecary, on the 20th of July, by direction of the Magistrates, examined the child, and saw every appearance of violence.

John Andrews, a surgeon, was called in to attend her on the 10th of August, and found her very much disordered.

Sarah Pollock, the girl's mistress, examined her soon after she was brought home, and gave her reasons for believing she had been violently abused. She described her as having been a very good girl, perfectly quiet and virtuous, and that she was scarcely ever out of her sight. She then entered into a detail of particulars which we cannot describe.

The prisoner, in his defence, said, the girl had been several times in his company, and produced the following witnesses in his favor :

Mr. Webb, surgeon, who examined the prisoner, and saw no signs of venereal complaint.

James Kelly, who had known the prisoner sixteen years: on the 19th of July he saw him, about a quarter before nine at night, come into the Duke of York's Arms, Clarges-street, with the girl in company; they had a pint of ale and a glass of rum each; they then went out, and he saw them afterwards in the Green Park.—On the 18th of July he had also seen them together by the gate where they put the cows into the Park: he knew the young woman by having on the same dress, a blue coat and black hat.

Ann Cronant was with the above witness on the 19th of July at the Duke of York's Arms, and saw the prisoner come in with the girl about half past eight: when they were in the Park by the basin, she being about twelve yards distance, heard the prisoner say, "Will you go along with me?" and the girl said, "Yes sir."—She was dressed in a spotted gown, a spotted shawl, and a beaver hat.

Elizabeth Burn also knew the prisoner and the girl. On the 4th of this month, in this business, the girl said to her, she did not know what to do, but would leave it to her mistress, who talked of sending her to the hospital. The witness asked her if she had known the man before: she replied, that she had been with him three times, that she could not tell what she had sworn, and that if her mistress would let it be, she did not mean to hurt him. That she further said, that wishing to get away from her mistress, she had applied to the prisoner to get her a place. On the 15th of July, she saw the prisoner and the girl coming out of a public-house opposite the Westminster Infirmary; on the 16th, she saw him with her between six and seven o'clock in the Park, and heard him ask her if she would live with him, and she said, yes. This witness said further, the girl's mistress went to him yesterday, and offered that if he would pay the expences, and make some recompence to the girl, she did not wish to appear against him; but he refused. This witness lived as a servant with the prisoner.

Mrs. Kusanck had known the prisoner 17 years, and also knew the girl. Towards the middle of July, she was with the last witness, when the girl said, she had drank with the prisoner three times before;



before; this was about the middle of July. The girl was walking very well, but on seeing them she began to limp; she complained that her master had used her very ill, and gave her no clothes, but that her mistress had promised that if she would swear she had never seen the prisoner before, she would clothe her as soon as this business was over. She was with them the whole time, but did not hear a word about a place.

Bligh, the constable, said, that Elizabeth Burn had told him she was the prisoner's wife.

Jane Bell being called again, said, she had never been with the prisoner at any time; nor had the conversation with Elizabeth Burn or Mrs. Kusanck, as they had stated, taken place, and positively denied all they had said. On the night he abused her, she had on a boy's blue coat, and a man's hat, which was confirmed by the witnesses Smith and Scott.

Her mistress swore she was with the girl from two o'clock in the afternoon till nine, when she untied the cows near Spring Gardens, and left her to drive them to the Green Park. One evening, about a month since, she heard Mary Kusanck offer the girl five guineas and a new gown, if she would not swear against the prisoner.

Kusanck positively denied that she had done any such thing.

Jane Bell being asked by the Judge, declared she certainly had, with threats if she refused, and that her master was by at the time.

It being understood the master was in the neighbourhood, though he had not been in Court, the Judge ordered him to be sent for. Being sworn, he said, that he heard Kusanck threaten the girl that if she swore against the prisoner, she would  
be

be sent to Newgate, and put in the pillory; but he did not hear any thing about money; there was a bustle at the time, and many people standing about.

The learned Judge summed up with great attention, observing to the Jury, that, as there was evidently perjury on one side or the other, it was for them to decide whether the child had told an artless tale, or whether she seemed as acting under the impulse of fear; and also whether most credit was to be given to the story told by her, her mistress, John Smith and Sarah Scott, or to those who had appeared on the part of the prisoner, and whose testimony it would be hard to reconcile, for the two first had differed as to the girl's dress, the first describing her to be in a spotted gown, and the other, which was the fact, as having on a blue coat; the same remark held good with regard to the next two, (one of whom, though she had represented herself to them as Elizabeth Burn, it appeared, had been living four or five years with this man) for they, in attempting to describe a conversation, had differed very materially even in the substance of it, and which, as they had heard, was totally denied by the girl: By the defence itself, the prisoner, when his age was considered, and that of the child, went to fix upon himself a system of seduction, which every man of feeling would abominate: nevertheless they were not to let their indignation for that get the better of their judgment, for as the girl was of an age which the law allowed sufficient to give her consent, if they were convinced she had done so, they must acquit the prisoner; if, on the other hand, they gave credit to the girl, and that he had

uled force from the beginning, they would find him guilty.

The Jury, after a short consultation, found him *Guilty*.

Richard Barber was indicted for forging and uttering, knowing the same to be forged, a note, purporting to be a bill drawn by B. Phillips, at Bristol, on the Governor and Company of the Bank of England, for the sum of five pounds, payable to E. Wilkinson, Esq. or Bearer.

On the 20th of June, the prisoner went to the shop of Mr. Brown, a hosier, No. 81, East-Smithfield, to purchase some stockings, tendering to Mr. Brown's daughter the above note in payment; she sent it to her father for change, who, suspecting it to be forged, prevailed upon a friend to go with it to the Bank while he returned to his shop. He told the prisoner what he had done, who appeared much agitated, and said, that he could not wait: for the purpose of detaining him, the prosecutor asked him if he did not want any other articles: he said no, he must be moving; but at last he looked at some handkerchiefs, with one of which he tied up the stockings, and saying he would call again at six o'clock in the evening, ran out of the shop. He had described himself by the name of Richard Barber, belonging to the ship *Mary*, of Yarmouth, which, he said, was lying at Wapping Old Stairs. On the return of the prosecutor's friend, the note proved to be a forgery, and upon enquiry there was no such person as B. Phillips to be found at Bristol. As the prisoner did not come back in the evening, the prosecutor went to Wapping, but could get no intelligence either of the ship or him till about a fortnight after, when he was taken into custody.

Upon



MARIA THERESA PHIPOE.—for Murder. 515

Upon this evidence the Jury found him *Guilty*.

These unfortunate wretches were executed together, Nov. 10, before Newgate. Briant was attended by a Romish priest. They behaved in a manner becoming their unhappy situation. Soon after the above malefactors were cut down, an extraordinary occurrence took place. Between nine and ten o'clock a hackney coach drew up to the prison door, in order to convey away the body of Briant; which being brought out, a violent altercation took place between two parties among the croud, each headed by a woman, as to which was best entitled to the possession of the corpse. Upon the body being brought into the street, the contending parties seized hold of it, some dragging it by the legs, and others by the head and arms, but all contributed to prevent its fall to the ground. After an obstinate contest for near half an hour, the deceased was carried into Giltspur-street, where, being put into a coach, it was carried off. The populace then dispersed.

Shortly after died in Westminster Workhouse, the unfortunate female, who received so much injury from the above John Briant.

The effects of passion are often fatal, and verify the words of Kotzebue, "They are not always men who bear that appellation."

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*Trial, Execution, &c. of MARIA THERESA PHIPOE, alias MARY BENSON, for the wilful Murder of MARY COX.*

MARY BENSON, alias Maria Theresa Phi-  
poe, was indicted for the wilful murder of



Mary Cox, on the 25th of October, in Garden Street, St. George's in the East.—It appeared in evidence, that the deceased was acquainted with the prisoner, and that she had called at her lodgings that morning. Soon after, the mistress of the house heard a scuffle and groaning; she called two neighbours, and, going to the prisoner's door, which was locked, asked what was the matter? she replied, the woman was only in a fit, and that she was getting better. She opened the door a little, when the witnesses saw she was bloody: two persons went for a doctor, and a third pushing open the door, saw the deceased bleeding upon the ground—she ran down stairs, crying murder, and, to her great terror, was followed by the wounded woman, who laid hold of her; Mrs. Benson came down after the deceased was got into the kitchen, where she was when the surgeons and beadles came—she was unable to speak, but yet made herself understood by one of the beadles, that she had been thus wounded by the woman up stairs. He went up to the prisoner, who was sitting on the bed, and said to her, “For God Almighty's sake, what have you done to the woman below?” she answered, “I dont know; I believe the devil and passion bewitched me.” There was part of a finger and a case knife lying upon the table;—he said, “Is this the knife you did the woman's business with?” she answered, “Yes.”—“Is this your finger?” “Yes.”—“Did the woman below cut it off?” “Yes;” but this the deceased denied, upon his afterwards questioning her with it. The surgeon described the deceased to have received five stabs upon the throat and neck, besides several wounds in different parts of the body, and agreed with the surgeon, who afterwards attended her

her in the Hospital, that those wounds were undoubtedly the cause of her death. The day after, the deceased made a declaration before a Magistrate, wherein she stated, that she had purchased of the prisoner a gold watch and other articles, for which she paid eleven pounds, and then asked for a china coffee-cup, which stood upon the chimney-piece, into the bargain;—the prisoner bid her take one; but, in doing so, she stabbed her in the neck, and afterwards had her under her hands more than an hour, she calling murder all the time, till at last she got her upon the bed, when she said she would kill her outright, that she might not tell her own story.

The prisoner, in her defence, said that the deceased wanted to purchase only part of the things which she wanted to dispose of, and, upon her refusing to divide them, she became angry, and said that she only wanted the money to go to London to be Courtois's mistress again:—The prisoner replied, that was a lie, for she never had been Courtois's mistress:—the deceased retorted, that it had been proved so at the Old Bailey. She said, that was a damned lie; and from this they both proceeded to very abusive language, and much violence. There were two knives laying upon the table; the deceased took up one, and, making a violent blow at the prisoner, cut off one of her fingers. In the heat of her passion, full of pain, and streaming with blood, she stabbed her; but solemnly declared she had no recollection of what passed afterwards, until she found herself in her own room, covered with blood. "This," she said, "was the truth; the deceased, if alive, must confess she had been most in fault, and that which affected her the most was, that she had done her any injury."

injury." The landlady where the deceased lived, and another person, to whom she was well known, proved that she had a great respect for the prisoner, and had often heard her declare she believed the prisoner had the same for her.

Mr. Baron Perryn, who tried the prisoner, then addressed the Jury as follows:—

" Gentlemen, this is a charge against the prisoner at the Bar, Maria Theresa Phipoe, otherwise Mary Benson, for the wilful murder of Mary Cox, by stabbing her in different parts of the body, and giving her several mortal wounds, of which she died; you have heard the evidence on both sides, both on the part of the prosecution, and also on the part of the prisoner, at considerable length; and all that will be necessary for me, in the discharge of my duty, will be to recapitulate that evidence, and if I mistake in any point, I request the Counsel on both sides will correct me. (*Here the learned Judge summed up the evidence on both sides, and then added*), Gentlemen, this is the evidence: it is a very suspicious circumstance against the prisoner, that she should send out her landlady at that particular time to buy brandy and bread, and when she returned, to prevent her bringing it up stairs, saying, it would not be wanted for some time; that is a presumption that she was occupied about something which interested her at that time; with respect to the understanding of the prisoner, the witnesses have all sworn, who speak to that point, that she was in her proper senses: you have heard the defence which she has made; now, to be sure, if she had given the same account to the beadles, which she has done in Court to day, it would have operated very much in her favor: if this latter account was  
true,



true, what could be the meaning of concealing the knife in her bosom, and giving it up with so much reluctance. It is stated by the deceased and by several witnesses, that she had locked the door, and for some time denied admission to the neighbours. If she had been attacked, as she alledged, and was so subject to passion, why did she obstruct the means of preventing her passion from producing any mischief. Her threatening to kill the deceased outright that she might not be able to tell her own story, was a very unfavorable circumstance to her. There does not appear to be any colour for her barbarous treatment of the deceased, who had always regarded her with affection; and all the evidence which the prisoner has produced in her behalf, does not appear to me to diminish the enormity of the charge against her. But it is for you to pronounce, in the case, as it appears to your judgments and consciences: if, from all the circumstances, you are of opinion that she has intentionally and maliciously committed the crime charged against her, you must find her guilty; but, if it appears to you that the deceased was the aggressor, and drew her fate upon herself, you will of course pronounce a verdict of acquittal."

The Jury retired for twenty minutes, and returned with a verdict—*Guilty*——*Death*.

Proclamation being made in the usual form, Mr. Baron Perryn immediately proceeded to pass sentence, that she should be executed on the Monday following, and her body afterwards dissected and anatomized, according to the statute. When the Judge came to this part of the sentence, the prisoner said, "you may speak out, I am not afraid:" and when he had finished with the usual words,  
"the



“the Lord have mercy upon your soul,” she said, “I do not place very great dependence on that sort of mercy.”

The prisoner appeared both before and after the examination of the witnesses, much concerned about her property, and said she had not received back all the money that lay about the room when the officers entered it; and on the two notes being produced in Court, she said they were not her’s, for the property that she required was all in gold.

She was executed pursuant to her sentence, Dec. 11, 1797. However improper her conduct was before, she now behaved with due decorum, being attended by a Roman Catholic priest. She left a guinea for the most deserving debtor in the goal, and gave the same sum to the executioner. After hanging an hour in the view of a great number of spectators, one-third of whom were females, the body was cut down, and delivered to the surgeons for dissection.

In her last moments, she confessed the justness of her sentence, but denied her having cut off her own finger, saying it was done in the scuffle with the woman she murdered. She also denied to the last having poisoned a young woman some years since, who had left her a legacy of 1000*l*. She owned to have been guilty of many enormities, and attributed her frequent gusts of passion to the use of laudanum.

Her body was publicly and most shamefully, indeed, exhibited in a place built for the purpose in the Old Bailey.

This woman had been capitally indicted and found guilty, May 23, 1795, for violently taking from John Courtois a promissory note value 1000*l*.  
which,

which, according to her servant's evidence, she had extorted from him, having fastened Mr. Courtois to the back of a chair, and threatening, and attempting to cut his throat. After he had signed and given the note, she again attempted to kill him, giving him his choice to die by arsenic, a pistol, or a knife. The gentleman escaped with great difficulty, having three or four of his fingers cut in the struggle. An arrest of judgment being moved, and it being deemed that the offence did not come within the meaning of the statute, the note not being in any legal sense the property of the prosecutor, at the time it was alledged to have been forcibly taken, judgment was, therefore, rescinded. She was, therefore, tried again for the assault—found guilty, and sentenced to be imprisoned for twelve calendar months.

Such is the depravity of human nature that a corrupt heart is proof against all warning.

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*Particulars of ROBERT FRANKLIN, who was executed for Forgery, Jan. 24, 1798.*

THIS unhappy malefactor was a genteel young man, aged twenty-nine years, and born in Holborn, of very respectable parents, who gave him an education suitable to his expectations in life.

He was, at the age of fifteen years, put apprentice to an eminent merchant in the city, with whom he remained till his time was completed; though his master and he had frequent quarrels about keeping bad hours: his master seriously expatiating on the evil tendency of his conduct,

but without effect. However, from the dissipated company he then kept, originated his misfortunes.

When his apprenticeship was completed, he went and lived with his parents. In this situation he bridled his passions for some time, but at length they broke out again; however, by the tender persuasions of an affectionate mother they were kept within bounds.

One fatal Sunday evening, he accidentally met with one of his old companions, who insisted on his accompanying him to see a favorite mistress. Franklin unfortunately consented; and they went to St. George's Fields, where they drank tea, and afterwards went to the Apollo Gardens. Here Franklin, whose heart was very easily caught, beheld, and as instantly admired, the beautiful, but perfidious Mary Jones; he requested her to be seated, to which she readily assented, and they soon afterwards went home together. By her persuasions he immediately left his parents, and lived with her entirely.

With her he lived in every extravagance as long as he could obtain money, which he procured from every person who would lend him; but that failing, he took the fatal resolution of forging Bank notes.

Struck with horror at his situation, he applied to his friends to procure him a situation in the navy, which they did; and he soon after left his fair decoyer, to go on board the Hydra frigate.

Here, perhaps, the unfortunate Franklin might have avoided his fate; but he received a letter from Mary Jones, stating that his departure had such an effect on her, as to occasion a violent disorder, of which she then lay without friends or  
money



money in Middlesex Hospital; and that, as she had abandoned all the world for him, she hoped he would not now forsake her.

In this snare Franklin was caught, he procured leave of absence for a short time, and immediately came to town. He came to Charles-street, Middlesex Hospital, to a Miss Dixon, an acquaintance of Mary Jones's, whose servant he sent out to get change for a forged 10*l.* note, which she obtained at Mr. Kearse, the One Tun, in Goodge-street. When he got the change, he left with Miss Dixon, for her to give to Mary Jones, a 2*l.* note, 1*s.* and two sixpences. For passing this forged note he was tried in December sessions, convicted, and received sentence of death.

Franklin, after passing this note, again left town to join the Hydra frigate, which then lay at the Nore. In his way thither he slept at the George Inn, Rochester; his behaviour here caused some suspicion, and made him be particularly noticed by one J. North, a waiter; he went to bed intoxicated, and complained next day of being robbed of upwards of 40*l.* It seems he had been robbed by two men, who came off immediately for London; the notes being forged, they were stopped in attempting to pass them; at Bow-street, they confessed how they came by them: in consequence, Lavender and Rivet went to Rochester, traced Franklin on board the Hydra, from whence they brought him to London. He had in his possession, when taken, 450*l.* in notes and cash.

At the time of his execution he appeared very penitent, and met his fate with a becoming resignation. His body was taken away in a hearse to an undertakers in Aldersgate-street.



The love of gain has been the ruin of many ;  
for the possession of empty dross, too frequently  
we forfeit our more precious soul.

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*The Trial, &c. of ANDREW M'CABE, and  
ROBERT RUTLIDGE, for a Rape.*

**A**T the assizes held at Chelmsford, March, 1798, came on before Mr. Baron Hotham, the trial of Andrew M'Cabe and Robert Rutledge, for committing a rape on Elizabeth Hagger, spinster, on the 8th of August 1797, at the village of Springfield, near that town.

Elizabeth Hagger said, she was twenty-five years of age, that she had been at service, but at the time of the offence, lived with her mother, a widow, at Moulsham; that on the 8th of August last, Peter Dodd, who had for some time paid his addresses to her, called and requested her to take a walk down the river side; that she went with him, and on their return between eight and nine in the evening, in a lane near Springfield, two soldiers sprung from the hedge, and with naked bayonets, asked the road to London; that she was so alarmed, that she could not immediately answer them, but Peter Dodd directed them the road they enquired for; that they immediately swore at him, they did not want to go to London, they wanted this young woman, and directly the prisoner M'Cabe, seized her, and on her struggling knocked her down to the ground; that she got up again, and he again knocked her down, which he did four times before he effected his purpose; that her companion in the mean time

was

was struggling with Rutledge, the other prisoner, and that a man rode past, to whom she cried for help, but that he rode on, regardless of her cries for assistance; that she struggled with the prisoner M'Cabe on the ground until she was quite exhausted, when he effected his purpose; that he then left her, and the other prisoner came and committed the like violence upon her, while the prisoner M'Cabe stood over her companion with his drawn bayonet; she then went into a detail of circumstances brutal and barbarous in the extreme, and so indecent and disgusting, that we forbear mentioning the particulars. The prisoner Rutledge then asked her for money, and she gave him fourpence; but M'Cabe came up, swore he should not take it, and forced sixpence into her hand; she then got away from them, and with her cap, neck handkerchief, and apron in her hand, ran as fast as she was able towards a public house at the top of the lane, where she met Dodd, who had a short time before got away from the soldiers, coming with others to her assistance; that she was taken to the public house, where she got a little water, and was then taken home to her mother, when she immediately fainted, and, on her recovery, finding Dodd had returned, and the prisoners had escaped, she insisted on going to Colonel Grant, the commanding officer; that Dodd went with her; that the Colonel assured them he would give them every assistance in his power to detect the offenders, and directed them to attend next morning at the barracks; and on the soldiers being drawn up, both she and Dodd fixed on the two prisoners.

Peter Dodd was next called, who confirmed her evidence,

evidence, and stated, that he was held from assisting her, first by Rutledge, then by M'Cabe.

Mr. Jemmit, a surgeon, and the mother of the young woman, then proved the state she was in when she got home; that great violence had been committed on her person, and that she was dangerously ill a considerable time afterwards.

The Jury found the prisoners, who were both Irishmen, *Guilty*.—They were executed at Chelmsford, pursuant to their sentence.

Rutledge denied to the last moment, his having committed the act for which he was about to suffer: M'Cabe acknowledged his guilt, but declared that Rutledge was innocent.

Innocence is too often attributed to the man who does not *actually* commit the offence; but if he *assists*, the law pronounces him *equally* Guilty.

*Particulars of J. BOND Executed for the Murder of his Wife, October 29th, 1798.*

**J.** BOND, 69 years of age, was indicted for the wilful murder of Ann his wife, on the 29th day of September, 1798.—It appeared from the evidence of Sarah Shaw, Ann Moffatt, and John Franks, that the prisoner at the bar had been married to his late wife upwards of 20 years; that she was a peaceable and good woman, notwithstanding several quarrels during that time had taken place between them, which had generally arose from the same cause. The prisoner's wife having a small estate secured to her by a relation, and he frequently being in want of money, solicited



ed her to supply him by disposing of the estate, which she never would consent to. This circumstance incensed him so much against the deceased, that he used often to beat her severely. The day that she came by her death, he was known to treat her very cruelly, when she was heard to cry out murder several times, and at last fall on the floor. He was met coming down stairs with a poker in his hand, and on being accused of the crime he had just committed, said the deceased had fallen and killed herself.

In his defence evidence was brought forward to prove him insane, but failed; the Jury, with little hesitation, brought in their verdict—*Guilty*.

The Monday following he was executed, pursuant to his sentence, in the Old Bailey. He acknowledged his crime, but attributed it to a momentary passion. An awful warning to those who give themselves up to the dominion of their passions!

*Execution of DENNIS NUGENT for a Rape,  
R. L. TROYT for a Forgery, and ANN  
WARNER for Coining.*

**D**ENNIS NUGENT was capitally indicted for feloniously assaulting and committing a rape on the body of Elizabeth Goldsprew.

According to the evidence, the prisoner was a soldier, and quartered at the Bell public-house, in the Old-Bailey, and that on the 12th of August he inticed the landlord's child, (just turned of eight years of age) to let him effect his villainous purpose upon her, and which being clearly proved



proved by the child and a surgeon, the Jury did not hesitate to pronounce him *Guilty*.

The Court ordered that the evidence upon the trial should not be published.

Robert Ladbroke Troyt was found *Guilty* upon the capital charge of having feloniously forged, and published as true, knowing it to be forged, a certain draft, dated the 20th of August, for the sum of 75*l.* payable to Sir W. Blackstone, purporting to be the draft of Robert Sturdy, on Messrs. Devaynes, Dawes, Noble, and Co.

Troyt was dressed in a very gay manner, and behaved with much unconcern. He was only about seventeen, and had been a clerk to a gentleman of eminence in the profession of the law.

Ann Warner, alias Sarah Willis, was convicted of colouring base shillings.

These three unhappy wretches were executed together at the front of Newgate, November the 28th, 1798—Nugent, a stout heavy man, seemed insensible of his situation; Troyt, though a boy, was much affected: the woman was of a decent appearance, and died very penitent.

Here is a striking example of the evil tendency of sin—Male and female, youth and old age!!

*Particulars of WILLIAM HEWLINGS and JOSIAH OLIVER, who were executed for feloniously stealing raw Coffee on board a Ship in the River.*

THESE two men, who were Custom-house officers, indicted with two others for feloniously

ously stealing, August 30th, 1798, 400 pounds worth of raw coffee, value 30l. the property of George Lear, &c. in a ship called the *Three Sisters*, then lying on the Thames.

John Gottey, surveyor of the Marine Police Office, observed a boat which sheered off at the sight of him—he saw something thrown over board—he rowed immediately to the place and took up a bag of coffee—he pursued the boat, and seized one Wright, whom he took by force into his boat.

Being cross examined he confessed he let Wright go, but that he came the next morning to the Police Officer, according to his appointment.

The prisoners Hewlings and Oliver called two witnesses each, who gave them a good character. The other two, Wright and Bearblock, called fifteen and three—The Jury found the two former *Guilty*; and acquitted the two latter.

The case of these two men was referred to the opinion of the twelve Judges, when it was unanimously declared that they were properly convicted, and they were executed accordingly, opposite Newgate, Wednesday, December 12th, 1798.

It was the duty of these men to *detect* guilt—more shameful then their conduct when *detected* themselves in guilt.

*Execution of JAMES O'COIGLEY, alias FAVEY  
for High Treason.*

**A**RTHUR O'CONNER, James O'Coigley, alias Favey, John Binns, John Allen, and Jeremiah Leary, were tried at Maidstone, May 21, 1798.

The indictment was read by Mr. Knapp, who afterwards stated the charges it contained in a summary manner. He said there were three distinct species of treason charged in the indictment, and seven overt-acts. The first treason was compassing and imagining the death of the King: the second, adhering to his enemies: the third, compassing and imagining, inventing, devising, and intending to move and stir certain foreigners and strangers, that is to say, the persons exercising the powers of government in France, to invade this kingdom. The first overt-act was, conspiring to levy war at Margate, in the county of Kent: the second overt-act, sending intelligence to the enemy: the other overt-acts were, attempts to hire vessels, and to leave the kingdom.

The trial lasted for two days. A pocket book had been found in O'Coigley's great-coat, in which a paper was found addressed to the Executive Directory of France, from the Secret Committee of England.

O'Coigley, in his defence, addressed the Jury as follows:

“ It is impossible for me to prove a negative: but it is a duty I owe to you, and to myself, solemnly to declare, that I never was the bearer of any message or paper of this kind to France, in the course of my life. That paper is not mine: it never belonged to me. It states that it was to be carried by the bearer of the last: this is something which might have been proved, but it is impossible for me to prove the negative. There is also in this paper an allusion to secret committees and political societies. I declare that I never attended any political society whatever. With these considerations, I consign my life to your justice; not  
doubting



doubting but that you will conduct yourselves as English Jurymen ever do, and that your verdict will be such as shall receive the approbation of your own conscience, your country, and your God."

The Jury after about half an hour's consideration found O'Coigley *Guilty*, and acquitted the rest.

Mr. Justice Buller, in an address to O'Coigley, which he read from a written paper, previous to his passing the sentence, observed, that he had been clearly convicted of the most atrocious crime which could be committed in any country—that of meditating the destruction of a Sovereign, who was one of the best, the most just, upright, and amiable of princes that ever graced a throne; and he could not conceive what were the motives which could actuate any man even to wish for the death of such, who had ever been the father of his people. The prisoner was also found guilty of conspiring to overturn the constitution of these kingdoms; a constitution which, from the experiment of years, had been found to be the best calculated of any that ever existed in the world, to insure the liberty, security, and happiness of the people who lived under it.

These atrocious crimes became still greater from the manner in which they had intended to be perpetrated—that of inviting a foreign enemy to come and invade, and conquer these countries.

Those people, who had thought such an event a desirable one, ought to think seriously what the consequences of it would be, provided it was possible to be accomplished. Did they suppose that, (desperate as their present situation might be) their condition would be bettered by having their



country put into the possession of people who were holding out the delusive hopes of what they called liberty to other nations? could such persons hope that they themselves should enjoy liberty, even supposing the conquerors to have enjoyed as free a constitution as any in the world? no, they would become suspected, be despised, and destroyed by them.

A celebrated writer (*Montesquieu*) very justly observed upon this subject, that a country conquered by a democratic nation always enjoyed less liberty, was more miserable, and more enslaved, than if that country happened to have been conquered by a nation whose government was monarchical. But if there was any illustration of this observation wanting, one had only to look to the conduct of the French at this moment towards Holland, Italy, Switzerland, and every other country they had conquered. His Lordship believed that the prisoner might have been actuated by motives similar to those which used formerly to induce many people to think that the killing of men of a different religion would give them a claim to canonization. But though the motives might be similar, the subjects connected with them were very different. In the present times, he did not believe that any person entertained such sentiments about religion. On the contrary, he was sorry to find that religion was too much neglected, and that the peace and tranquillity of numbers of people were destroyed in consequence of having lost all belief in a Providence, and abandoned all hopes of a future state. He was afraid that the prisoner had been infected with this infidelity, and if he was, he (the Judge) prayed that the Almighty God, in his infinite mercy and  
goodness,

goodness, would change his heart, and cause him to repent him of his sins.

His Lordship then, in a solemn and awful manner, passed the following sentence :

“ That the prisoner be taken from the bar to prison, and from thence to the place of execution ; there to be hanged, but not until he be dead, to be cut down while yet alive, and then to have his heart and bowels taken out and burnt before his face ; his head to be severed from his body ; and his body to be divided into four quarters.”

Mr. O'Coigley listened to this address and sentence with attention, but at the same time with the greatest coolness. He bowed his head when the Judge concluded ; his countenance expressing at once resignation and firmness.

Immediately after the sentence was passed on O'Coigley, Mr. O'Connor, supposing himself at liberty, attempted to withdraw, when a warrant was served on him on another charge of high treason, signed by the Duke of Portland, and dated March 22. On this some swords were drawn, and a general confusion ensued, when Mr. O'Connor addressed the Court, to this effect : “ My Lord, I am surrounded with drawn swords !—I am prepared to die ; and it would be better for the Court to doom me to death at once, than that I should linger out my life in a goal.—Have the goodness to send me to the dungeon where my brother is in confinement, after having been acquitted on a charge of high treason in Ireland. At all events, will your Lordships order that my agent may be permitted to come to me ?”

The Court said they could make no order—their commission ended with the trial.

O'Coigley

O'Coigley on Wednesday, June 6, 1798, between four and five in the afternoon, received information that he was to die next day, without apparent emotion. He spent the evening very calmly. He had but one thing, he said, on his mind which created any anxiety; that was, an apprehension that he might be misrepresented after his death. He was anxious to be faithfully reported, and that was all he wanted. On Thursday, at a quarter past eleven o'clock, O'Coigley left the goal. He was dressed all in black; his hair was cropped and powdered, his shirt-collar open, and he wore no neck-cloth. His elbows were tied behind with ropes, and over his shoulders was the rope with which he was executed. He stepped into the hurdle, and on his sitting down a chain was put round his waist to fasten him. The executioner sat opposite to him. He had nothing on his head. He continued all the way earnestly reading a prayer-book. Mr. Watson, the goaler, followed the hurdle, which was surrounded by above 200 of the Maidstone Volunteers. The deputy sheriff, and the Rev. Mr. Griffiths followed. The whole was preceded by about 20 Javelin-men. The hurdle was drawn up close in front of the gallows, on Penningdon-heath, and the horses were taken out. The military formed a small square. The prisoner being unchained, he rose up and stood in the hurdle, and read two prayers, one of them aloud in Latin. He then took out of his pocket an orange, and also a pen-knife, but being unable to cut the orange, from his hands being bound, he gave it to a friend, whom he beckoned to come near him, saying, "Open this orange with my pen-knife; it has been said, they would not trust me with a pen-knife,

knife, lest I should cut my throat; but they little knew that I would not deprive myself of the glory of dying in this way." He desired his friend to keep the pen-knife for his sake, and to hold the orange, several pieces of which he eat. After finishing his devotions, the clergyman gave him absolution, to whom he returned the prayer-book; and having ascended the platform, he took farewell of the goaler, thanking him for the many civilities he had shewn him. On his being tied up to the gallows, he made the following speech:

" I shall only here solemnly declare, that I am innocent of the charge for which I suffer. I never was in my life the bearer of any letter, or other paper or message, printed, written, or verbal, to the Directory of France, nor to any person on their behalf; neither was I ever a member of the London Corresponding Society, or of any other political society in Great Britain; nor did I ever attend any of their meetings, public or private—so help me God! I know not whether I shall be believed here in what I say, but I am sure I shall be believed in the world to come. It can scarcely be supposed, that one like me, in this situation, going to eternity, before the most awful tribunal, would die with a falsehood in his mouth; and I do declare, by the hopes I confidently feel of salvation, and happiness in a future state, that my life is falsely and maliciously taken away by corrupt and base perjury, and subornation of perjury, in some cases proceeding from mistake, no doubt, but in others from design.—Almighty God! forgive all my enemies!—I beg of you to pray that God will grant me grace—for I have many sins to answer for, but they are the sins of my private life, and not the charge for which I now die."

*(raising*



(*raising his voice*) “ Lord have mercy on me, and receive my soul ! ”

A white night cap was then drawn over his face, and he made a signal by dropping a handkerchief. The board was then let down, as at Newgate, and he remained suspended for twelve or thirteen minutes; he was then taken down, the head taken off by a surgeon, and the executioner held up the head to the populace, saying, “ *This is the head of a Traitor!* ” Both head and body were then put into a shell, and buried at the foot of the gallows.

The scripture says “ Honor the king ”— “ Render to Cæsar the things which are due ”— Whosoever then meditates the destruction of the *Lord's anointed*, and withholds due reverence, is an O'Coigley, and merits an O'Coigley's fate !

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*Summary of the Trials of* ROBERT REEVES, Stock-broker, DAVID WILKINSON, and JOSEPH ADAMSON, *Executed for Forgery*, June 6th, 1798.

ROBERT REEVES was tried in April, and found guilty of forging Script Receipts, with intent to defraud Mr. Ashforth—Judgment having been respited on account of a defect in the indictment—he was again indicted for an offence precisely similar with an intent to defraud Mr. Parry. The prisoner had acted as Mr. Parry's broker, and had obtained near 10,000*l.* of him for which he had deposited scrip receipts, all of which turned out to have been forged. The Jury found the prisoner *Guilty*.

David

David Wilkinson was tried on an indictment for forging a bill of Exchange, purporting to be drawn by himself, payable to his own order, and accepted by Messrs. Favell, Bawskin, and Son; and for uttering the same knowing it to be forged, with intent to defraud the Governor and Company of the Bank of England.

William Kewall, clerk in the discount office of the Bank, was the first witness called, who swore that the bill in question was discounted by him, at the Bank, on the 22d of February last, along with others, a list of which was given signed by the prisoner. The witness, in the usual course of business, made at the time a memorandum of these bills, which he passed into the drawing-office, for the purpose of permitting the prisoner to draw their value, which abating the discount amounted to 639l. 18s. which was paid the prisoner. The witness had no doubt of the bill in question being the prisoner's hand writing, being well acquainted with it.

Isaac Wilson, clerk to Smith, Payne, and Smith, proved the whole of the body of the bill, and the endorsement to be the prisoner's handwriting.

Messrs. Bawskins, sen. and jun. were not at all acquainted with the prisoner. The acceptance on the bill in question was neither their's, nor the other partner, Mr. Favell's, hand writing, nor that of any person authorized by them.

Mr. Favell being absent through sickness, Mr. Serjeant Shepherd, the prisoner's Counsel, objected that without him, the evidence was not conclusive.

Lord Kenyon, who tried the cause, over-ruled the objection, observing that the Jury were the judges of the weight of evidence.

The prisoner read his defence from a written paper; its tendency was to throw the blame of the forgery upon Adamson, who was connected with him in business.

The Jury withdrew for about an hour, and brought in a verdict of—*Guilty*.

Joseph Adamson, was also tried on an indictment for forging a bill of exchange for 490*l.* purporting to be drawn by Thomas Stevens, of Manchester, in favour of James Holt, by him indorsed to Henry Murray, by him to the prisoner, and accepted by Bowles, Beechcroft, and Co; and for uttering the same knowing it to be forged, with intent to defraud the Bank.

This bill was discounted by Mr. Kewall at the Bank on the 19th of February last.

The circumstances of the forgery were similar to those above detailed, and were so clearly proved that the Jury without hesitation found the prisoner—*Guilty*.

Mr. Wilkinson was a respectable good looking man about 40. His deportment during the whole of his trial, was such as manifested the utmost fortitude. The questions put by him to the witnesses were judicious. During the interval when the Jury were consulting, he expressed no anxiety; he heard the verdict with firmness, and retired from the bar with apparent composure.

Adamson's conduct on his trial was the reverse of Wilkinson's; he appeared extremely ill and dejected.

The execution of Reeves, Wilkinson, and Adamson, took place June 6th, in the front of Newgate. Great interest was made for the two latter, and the deliberations of the Privy Counsel on their case lasted above two hours and a half.

How



How many who could have lived in this world with respect and credit, have left it with shame and reproach, through the destructive vice of *Forgery* !

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*Summary of the Trials, Execution, &c. of JOHN HAINES, for Murder, and PATRICK BLAKE, for Forgery.*

**J**OHN HAINES was indicted January 12th, 1799, for maliciously and feloniously shooting at H. Edwards, T. Jones, and T. Dowson, on the highway.

H. Edwards, one of the Bow-street officers, swore that, in consequence of several robberies having been committed near Hounslow, he, Jones, and Dowson, were employed to scour that neighbourhood. They set off in a post-chaise on the evening of Saturday, the 10th of November; and in passing through Bedfont, about seven o'clock, they observed two persons on horseback at the door of the Bell Inn, who had a very suspicious appearance. They went on to the next turnpike, and turned up Bedfont-lane. where they had not proceeded above a mile and a quarter, when looking through the back of the chaise, they saw two persons following, and coming fast up with the chaise. Both at first passed the chaise, but one went to the post-boy with dreadful imprecations, and ordered him to stop, while the other rode up to the side of the carriage and demanded their money. The witness desired him to have a little patience, and he should give him his money: but as he was putting down the side glass, the man at



the horses' head cried,—with an oath, “ Jack, give it him;” upon which the latter immediately fired through the glass. The witness instantly returned the fire, and observed to his companions he was sure it had taken effect. At that moment a bullet came in at the front of the chaise from the man at the horses head, who called out to the other, “ Jack, if you are not hurt, come this way.” The witness leaped out of the chaise, in pursuit of the person whom he supposed he had wounded, but he escaped owing to the darkness of the night. The horse's head was close to the glass, and by the flash of both pistols he could distinctly see that it was a dark brown horse, between 13 and 14 hands high, of a very remarkable shape, having a square head and very thick shoulders, and altogether such that he could pick him out of 50 horses. He had seen the horse since at Mr. Kendall's stables, in Long Acre. He also perceived the person at the side glass had on a rough shag brown great coat.

This evidence was confirmed by several other witnesses, who detailed various circumstances until the apprehension of the prisoner, who making no material defence, the Jury pronounced him *Guilty*.

Patrick Blake, Michael Stack, and Richard Cornes, were tried for feloniously forging and uttering as true, on the 4th of December last, a certain instrument, purporting to be the last will and testament of John Ford, an armourer belonging to the *Rose East Indiaman*, with intent to defraud the East-India Company.

The forged will was dated the 13th of December, 1797, and it appeared Ford had signed a  
power

power of attorney to a friend on the 13th of January following. The will was signed in a tolerably good hand, whereas it was proved the prisoner could not write at all, but always made his mark. All the legal requisites to establish the charge were fully proved against Blake, who was accordingly found—*Guilty*. Stack and Cornes were acquitted.

Haynes, the night before his execution, sent a guinea to his shop-mates, with a request that they should drink his health, and informing them also, that he was the next day going to the country, but had enough left to pay *expences of his journey*!

Thursday, April 21, these two malefactors were executed at Newgate.—In consequence of certain representations to the Secretary of State, an order was given that Haines's body, after execution, should be hung in chains on Hounslow Heath; but so private was this circumstance kept, that his friends had not the least idea of it, when they came to take away the body. The gibbet which was strongly guarded with Iron, went down to be erected on Thursday morning.

On Saturday following the body was conveyed in a cart by the common hangman, escorted by the City officers, to Hounslow Heath, where it was hung in chains, near the spot where the malefactor committed the offence for which he suffered.

It is to be hoped that the fate of these unhappy men may become a serious warning to others, and teach the honest, sober, virtuous, and industrious, how very dangerous to the welfare and happiness of individuals, is the smallest deviation from the paths of virtue; the common gamester to support his extravagance becomes a pilferer; and the mind once accustomed to dishonesty, is soon

soon brought to the perpetration of personal violence, for the crime of *murder* is frequently the sequel of reiterated abuses against civil society.

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*Particulars of the Trial, &c. of PHILIP KEATING, Executed for the Murder of Col. PETER, SHADWELL.*

PHILIP KEATING and John Keggan were tried at Maidstone Assizes, for the wilful murder of Colonel Peter Shadwell, on the 1st of June, 1799, at Wrotham.

Mr. Knowlys opened the case on the part of the prosecution, and called the following witnesses.

John Self stated, that he was servant to Colonel Shadwell; that on the 1st of June last, he came with the Colonel, in his curricule, from Lewisham to Wrotham, where they stopped to refresh their horses; that the prisoners came up in regimentals; the Colonel said, well, my lads, where do you come from? They said, Maidstone. Where are you going to? They said, London. What commanding officer did you see at Maidstone? They said, Captain Nevil. The Colonel said, there was no such Officer there, he supposed they meant Captain Skeen. They said, yes, that was the name they meant. He then asked them to shew their passes. The prisoner Keating said, come here and we will shew you our passes. On that word the Colonel sprung forward, as the prisoners were then endeavouring to go away, and had proceeded 6 or 7 yards, and then the Colonel put his hand out and tried to catch hold of Keggan, when Keating wheeled round, took his pistol out and  
shot



shot the Colonel instantly, who had not got hold of Keggan. The Colonel turned himself round, and said John, I am shot. He did not live above a minute; he had five wounds, and was shot through the heart. The prisoners made off, and then had each a pistol in their hands; they were overtaken by persons who pursued them about a quarter of a mile, when Keggan said, if any persons came near them they should be shot; they then came from the fields into the road, and Gregory, one of the pursuers, who had a gun, told Keggan, that unless he threw his pistol down, which he had presented three or four times, that he would shoot him; he threw his pistol down and surrendered himself. Keating would not surrender until Gregory fired at him and wounded him, when they rushed in upon him and secured him.

John Hills, servant at the Bull, at Wrotham, where the Colonel stopped said he saw the Colonel speak to the prisoners, who were coming along the road; they told him they had come from Maidstone, and were coming to London; he asked them what regiment they belonged to; they said the 17th Light Dragoons; what Captain did they see at Maidstone? The witness did not hear what answer they made; but the Colonel said, that is wrong, there is no such Captain; you must mean Skeen. They said, yes, they did. The Colonel asked them what party they belonged to. They said a recruiting party. Have you a pass? said the Colonel; Keggan said, yes, and appeared to be feeling in his pocket, but turned round and was running away to the left; the Colonel sprang after him, Keating turned to the right, and pulled out a pistol and shot the Colonel, when  
he



he was within three or four yards of him; the Colonel's servant supported him for a minute, when he died. He staid to take care of the horses, while the others went in pursuit of the prisoners, who ran off.

Lieut. Vere Ward, of the 17th Light Dragoons, proved that the prisoners both deserted from that regiment on the 31st of May last.

The Articles of war were then read, and also the Mutiny Act.

Keating in his defence said, that he absented himself from the regiment on the 30th of May, and not on the 31st, and that he did not commit the crime.

Keggan said nothing in his defence; he seemed very poorly, and was indulged with a chair during the trial.

The Jury found Keating *Guilty*, and Keggan *Not Guilty*. Judgment was immediately pronounced on Keating, and he was executed the following Saturday at Pennenden Heath.

Our readers may perceive here one sin generally leads to a greater. These men were conscious they acted wrong by deserting, which sin they aggravated by the greater crime of murder.

*The Trial, &c. of BRIAN, HOLLAND, and SULLIVAN, for Murder, during a Riot at St. Giles; executed May 13, 1799.*

THE following Irishmen and women, Timothy Brian, James Barry, Patrick Holland, Daniel Driscoll, George Romsey, Cornelius Donohough, John M'Carty, John Sullivan, Hannah Brian,

Brian, and Eleanor Hern, were indicted for being concerned in a riot at St. Giles's, Dec. 1798; and charged with the murder of Duncan Grant, the captain of the Bow Street patrol.

Mr. Knowles, on the part of the prosecution, in stating the case to the Jury, said, he would not call any evidence for the purpose of convicting the women. And in the course of the trial afterwards, he consented to the acquittal of James Barry, Daniel Driscoll, George Romsey, and John M'Carty, who, together with the two women, were discharged.

It appeared from the evidence of several Bow-street officers, that on the night of the 26th of December last, the patrol, to the number of 50, had, in consequence of a warrant from Sir William Addington, proceeded to the King's Arms public house, in Maynard-street, St. Giles, in order to apprehend deserters and disorderly persons; that several of the officers went up stairs, where there was a club, called a Cock and Hen Club, consisting of about 30 men and women, with a fidler playing to them, some of whom were dancing, and others singing. The greater part of these persons were handcuffed, and carried away to the watch-house. The prisoner Brian struck at the officers as they were going out; and notwithstanding that his stick was taken from him, and he himself considerably beaten by those whom he had attacked, yet he got another stick, and made a second attack, crying out at the same time, "halloo for the bloody *Saffanacks*," meaning in the Irish language, the English people.—It also appeared that the prisoner Sullivan, who had not been in the club-room up stairs, but in the tap-room below, was taken into custody, and getting

away from the officers, ran into another public-house in the neighbourhood, with a cutlass in his hand, and asked some acquaintances of his, who were in the tap-room, what they were standing there for, when the people (meaning his friends) were cut to pieces. That upon this, Holland, the prisoner, ran out with him, and came back in a quarter of an hour after with his face all bloody. One of the Bow-street officers swore that Holland struck Duncan Grant while he lay wounded on the floor of the public-house; and that the said Grant had been before that struck violently by a tall man in a blue coat, who he believed was Sullivan, who was proved by others to be in the riot. Donohough was also sworn to be in the riot. Several of the officers were most severely wounded. It appeared, on the cross-examination of the Bow-street officers, that the warrant, which bore the signatures of Mr. Ford and Sir William Addington, had been signed by the former before it was filled up; and that afterwards Sir William Addington put his name to it: that the patrol were not constables of the Holborn division, within which lay the place where the riot happened: and that the high constable of that division was not with them.

From these circumstances, Mr. Gurney and Mr. Alley, the Counsel for the prisoners, argued for a considerable time that the warrant was not legal, the Act of Parliament requiring that it should be issued at a meeting of Justices, and signed by two of them at least; and in the next place that the persons who executed it had no authority to do so.—Therefore, they contended, that the offence charged in the indictment, amounted to no more than manslaughter, inasmuch as it was a  
killing

killing that took place in consequence of an attempt to rescue persons who had been unlawfully apprehended, and who had not been in a situation which subjected them to be considered as rogues or vagrants. They had only been amusing themselves on an annual festival, which in Ireland was always celebrated by that description of people. They quoted several cases to shew the crime only amounted to homicide. They afterwards called the landlord of the house where the riot hapened, and another person who had called there that evening, an undertaker in Swallow-street, who swore positively that the officers began the riot, by rushing violently into the house with their cutlasses drawn, coming into the parlour, and seizing the landlord, and this person, handcuffing them and others who were sitting quietly in the tap-room; and that until they came there was no noise or disturbance in the house. Several persons came and gave Sullivan and Holland a good character; the former was chairman to the Marchioness of Donegal.

Mr. Justice Grose summed up the whole of the evidence to the Jury, and commented on it as he went along. In reply to the arguments of the learned Counsel, he admitted the informality of the warrant and of its execution, as well as that the cases quoted were law, but they did not apply. In his opinion it did not signify whether the officers had been acting legally or not, as it did not appear to him, that the riot and murder which took place, had happened in consequence of an attempt to rescue prisoners; for no prisoners were in custody at the time, and therefore none to be rescued. It appeared that the prisoners at the bar had first made an attack, and afterwards



came and renewed their attack again. The question therefore for the Jury to consider was, whether they had done so in consequence of a premeditated plan to be revenged of the officers for having taken up the people at the public-house. If that was the case, there was most clearly that malice, which in law was necessary to constitute murder; and if the Jury were satisfied that there was such a plan, they certainly were bound to find the prisoners guilty of murder.

The Jury, after retiring for about half an hour, brought in a verdict of *Guilty* against Brian, Holland, and Sullivan, and found Donohough, *not Guilty*.

The Recorder immediately sentenced the three former to be hanged on Monday following, and ordered their bodies to be given for dissection.

These three men were executed pursuant to their sentence, and behaved suitably to their trying situation.

May such awful examples bring back those to the love of virtue whom vice has not yet rendered callous, that they may become useful members of society in their day and generation.

*Conviction and Execution of JAMES BRODIE, a blind man, for the Wilful Murder of his Guide, ROBERT SELBY HANCOCK, a Boy.*

AT the assizes for Nottingham, James Brodie, a blind man, aged 23, was convicted of the murder of Robert Selby Hancock, (his guide) a poor boy, whose parents lived in the same town. It

It appeared, in evidence, that John Robinson, a warrener, went into his warren, on Sunday, the 24th of March last, about two o'clock in the afternoon; he saw a person, as he supposed, fishing in a rivulet: that on approaching near to him, he found him lying on his belly, upon which he called out hallo! what are you doing? The prisoner said, he was a blind man, and had been wandering about all night, and had lost his guide (the deceased) who, he said, was dead: that he had staid by him till he had taken his last gasp; that on being asked where the boy was, he said about half a mile from thence; that witnesses went to seek the boy with two men, and they found him about three miles from the place where the blind man was; that when they found the boy, he was covered all over with ling (fearn), as much as would fill a cart; that when he was carried to Mansfield, the town near the spot, and on the boy being examined by a surgeon, the skull was found fractured in two places, head very bloody, and torn at the ear, and the shoulders and arms beat to a jelly. The blind man was found with a stick, with which it is supposed he committed the murder.

The prisoner, in his defence, said, that they had lost their way; and that the boy got up into a tree, with his assistance, to see if there was any road near: that the boy fell from the tree, and hurt himself very much; that just before he had tumbled over a log of wood: that finding the boy was hurt, and that he could not stand, he covered him over with the ling, in order to keep him from the cold; and that he staid by him till he was dead.

He was executed at Nottingham pursuant to his sentence, July 22, 1799, and his body given to be dissected.

Brodie seemed not only blind to the light of this world, but to the *light of heaven*.—Spiritual blindness is most lamentable!

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*Execution of MARGARET HUGHES, for the Murder of her Husband, 1799.*

AT the general sessions for the city of Canterbury, this woman was convicted of poisoning her husband Thomas Hughes.—Her case was, however, referred to the opinion of the Judges, but she was brought to the bar soon after, and informed that the Court had awarded her former sentence, and that in consequence, her execution must take place the Wednesday following, July 24, 1799. She was accordingly brought a few minutes before one o'clock, from Westgate, Canterbury, to a room in the goaler's house, whence she was conducted by a gallery to the temporary gallows, erected upon a platform, about 10 feet from the ground, on the North side of the gate, and executed according to her sentence. Her behaviour before leaving the goal, and during the awful ceremony, was such as highly became her situation. She received the sacrament, and joined in the devotions with the utmost fervency. The lever was then touched, and instantly part of the platform under her feet dropped, by which she descended 6 or 8 inches. After remaining suspended an hour, the body was taken down, and  
at

at night delivered for dissection. She appeared to be about 36 years of age.

Let the conduct of a husband be ever so reproachable, it cannot extenuate that of a wife who meditates his destruction.—She must, indeed, be very depraved who administers poison, a murder the most difficult to be detected, as it can only be proved by *circumstances*.

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*Particulars of JAMES TURNBULL, HUGH CAMPBELL, WILLIAM HARPUR, and JOSEPH WALKER, executed at Newgate, May 15, 1799.*

AT the Old Bailey, Feb. 25, James Turnbull was tried for robbing the Mint. This was one of the most daring robberies ever committed. It appeared by evidence, that the prisoner (a private in the 3d regiment of Guards) was employed on the 20th of December last, with others of the military quartered at the Tower, for working the die in the coinage of guineas.—That at nine o'clock, he pretended to go with the other men to his breakfast, but returned in a minute or two with a comrade, named Dalton: the latter stood at the door, while Turnbull went and clapt a pistol to the head of one Finch, an apprentice, who was left in care of the coining-room, together with a Mr. Chambers, and demanded the key of the chest where the finished guineas were deposited.—Mr. Chambers coming up to interfere, the prisoner levelled the pistol at his forehead, and shoved him into a passage leading to another room, in which he locked both him and Finch.

He



He then opened the chest, and took out four bags, containing 2380 guineas, and escaped with them before an alarm could be made. For a fortnight he eluded all search and pursuit; but was apprehended on the 5th of January, at Dover, in endeavouring to hire a boat to carry him to France. The foregoing circumstances being fully substantiated by evidence, and acknowledging himself the commission of the robbery when called on to make his defence, the Jury instantly found him *Guilty*.—His Counsel urged a point of law in arrest of judgement, but which the Court deemed not of the least force, and he accordingly received sentence of *Death*. He instantly replied, “I have now heard my sentence, and I thank God for it.”

Hugh Campbell, was tried and convicted of forging a receipt for 13l. 11s. He called at Mr. Russel's office, Frith-street, Soho, represented himself to be an officer of the first battalion of Rothsay and Caithness Fencibles—said he came to town to settle some matters relative to a deceased relation in India.—Money was given him, and he wrote a receipt, signing it Benjamin Sinclair.

Wm. Harpur was tried and convicted for personating a seaman of the same name, and receiving prize money which was due to him; by a forged certificate.

Joseph Walker, and John Window, were brought before the Lord Mayor, charged with forging a draught, and uttering the same knowing it to be forged, upon the house of Prescotts, Grotes, Colverdin, and Hollingworth, bankers, in Threadneedle-street, purporting the same to be a draft for sixty-five pounds ten shillings, drawn by Mr. Trevanion, Member of Parliament for Dover.

The Lord Mayor ordered Walker to be taken out of the room, and Window to be examined first, who stated that he was not in any situation at present, but went occasionally on messages for the debtors in Newgate; that coming from thence, he was met by the prisoner Walker, whom he knew, having been a fellow prisoner with him some time in Newgate for debt; that after asking him whither he was going, he told him that he had a draft upon a Banker's behind the 'Change; that he had it of Mr. Trevanion for japanned goods, he having been in that way; that accordingly he went with Walker, who gave him the note, and said he would stay for him at the Cock, behind the 'Change, till he returned, telling him to get it in cash and notes; that he presented the draft at the banking-house, and was immediately paid by a gentleman present, to whom he pointed; that he received a forty pound Bank note, and the rest in small notes and cash; that he took the same to Walker directly, who asked him if he had got the money, and then requested him to have a basin of soup; that Walker declined taking the money at that time, saying, "stop a little—I won't take it now, as there are many sharpers about the 'Change;" that they went to a public-house in Falcon-square, where he gave him all the notes and cash; but there being nothing less than half crowns, Walker put the whole in his pocket, and gave him a shilling, saying, that would pay him for his trouble, and so they parted.

Window being put aside, Walker was then brought in, who confessed that he gave Window the draft to get the money for it, and said that

he found it in Newgate-street ; but appeared very much agitated.

Walker was detected at the Bank getting change for the forty pound note. It having been stopped, he said he would take it to the man who gave it him, and took them to the prisoner Window, whom they found among the debtors in Newgate, and who made the discovery.

Walker was accordingly committed for trial. A witness appeared to prove that he had found the draft, but his deposition was so glaringly false, the Jury found the prisoner—*Guilty*.

These four men were executed together, and met their fate with becoming resignation.

It is asserted that virtue meets a due reward, and we will venture to affirm that vice meets the same.

*Particulars of JOHN WILLIAMS, executed for Secreting a Letter ; CHARLES LISNEY, and HENRY BOGEARD, executed for Forgery, July 24, 1799.*

**J**OHAN WILLIAMS, a letter-carrier, belonging to the General Post Office, was tried for secreting and opening a letter containing a 10l. Salisbury Bank note, and found *Guilty*.

Charles Lisney was tried for altering a 1l. Bank of England note to a 2l. note, and for uttering the same knowing it to be a forgery.

It appeared, by the evidence of one Bunyan, a butcher, in Thames-street, that the prisoner had bargained for a piece of beef at his shop, and that his manner, and the circumstance of his not offering

ing to lower the price, excited some suspicion. The price amounted to about 7s. He asked change for half a guinea, but pulling out a farthing from his pocket, said he thought it half a guinea: the prisoner then said he had no other money about him but a 2l. note, which he offered in payment, and which was the forged note in question. The butcher doubting whether it was a good one, carried it to a public-house, where he found it was forged; and he then had the prisoner taken into custody, when two guineas were found upon him.

A clerk belonging to the Bank said, that when the prisoner was questioned as to the note, he had first declared that his wife took it in his shop; he afterwards said she knew nothing about it; and that if he was pardoned he would make important discoveries.

The prisoner in his defence said, this acknowledgment was extorted from him by persons who had treated him very ill, and almost killed his wife, who was far gone with child.—He called six witnesses, who gave him a good character. The Jury found him *Guilty*.

Henry Bogeard, a Frenchman, was indicted for feloniously uttering as true, knowing it to be forged, a bill of exchange for the sum of 25l. drawn by himself, and purporting to be accepted by Count Herman Wedel, son to the Danish Ambassador, with whom the prisoner had some time back lived as a servant.

William Marshall, a butcher in Carnaby Market, swore that the prisoner had owed him a sum of money, and gave the bill in question, as part of payment. When it became due, he carried it to the Danish Ambassador's house in Wimpole-



street, and asked the young Count for payment; but he told him at first that he was not of age, and would not pay him any thing. The witness desired him to write his name, which he did, and it resembled the signature on the bill. The Count then looking on the bill, denied the acceptance to have been his, and his father coming in at the same time, they both threatened to throw the witness out of the window, and made him quit the house instantly.

Count Ferdinand, the other son to the Danish Ambassador, swore that the name on the bill was not like his brother's hand-writing, nor the same signature which he made use of.

The tutor to these two young gentlemen gave evidence to the same effect.

Mr. Ford, the Magistrate, said, that when the prisoner was examined before him, he acknowledged the forgery.

The prisoner, in his defence, which he delivered through the medium of an interpreter, denied this acknowledgment, and declared, that, not understanding the English language sufficiently, he did not at the time of his examination know what he signed. He also stated, that the young Count used frequently to come to his house (he having kept a confectioner's shop) and used to borrow money from him: in consideration of which, he had accepted other bills for him, and this bill among the rest; and that he used to write three or four different hands, for fear his father should know he had borrowed money.

This statement was in a great measure done away by the evidence of Count Ferdinand, who was again called, and who said, that they had had some transactions with the prisoner, but that they  
took

took place in consequence of his (the prisoner's) request, and for his accommodation. The brother had accepted one bill of 40*l.* which, when he desired to get back again, the prisoner pretended was lost, but on his producing a person to whom the prisoner had offered it to be discounted, he restored it to the two brothers.

The Jury retired for near three hours, and returned with a verdict of *Guilty*.

Half the Jury were foreigners.

These three convicts were executed Wednesday, July 24, at Newgate, pursuant to their sentence. They all behaved in a manner becoming their unhappy situation. Moses Assur Geeting, a native of Hamburgh, who was to have been hanged at the same time, for forging an indorsement of a bill of exchange for 307*l.* was respited for one month. This unfortunate young man, the moment the Jury returned, and before he heard the verdict, fell into violent convulsions, and wept aloud. The prosecutors, among whom was Mr. Schneider, addressed the Court, and begged leave to recommend the prisoner to mercy; declaring it as their opinion, that he must have been in a state of insanity when he committed the forgery.

The fate of these men is so similar to that of preceding convicts, that we can only lament, example has not greater influence.

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*Execution, &c. of* DANIEL MACKAWAY,  
JOHN ORRELL, *alias* LANSIMORE,  
JOHN DURHAM, THOMAS CLARKE,  
FREDERICK SMITH, *and* THOMAS ROBERTSON.

**D**ANIEL MACKAWAY and John Orrell were found guilty of breaking into the dwelling

dwelling house of Mr. Read, linen draper, in Twickenham, and taking thereout several articles.

John Durham was found guilty of robbing Mr. Reynolds, a callico printer, at Twickenham Common, of a gold watch, &c. The watch was found in the prisoner's possession.

Thomas Clarke was found guilty of shooting at the Bow-street officers, in company with Haines, who was executed, and hung in chains on Hounslow Heath for the same offence.

Thomas Robertson and Frederick Smith, were found guilty of breaking into the dwelling house of Mr. Wilsford, warehouseman, in Lad-lane, and stealing 180 yards of callico.

Wednesday morning, Nov. 13, 1799, these six men were executed at Newgate, pursuant to their sentence.

Considerable interest had been made to save Robertson, who was a young offender, and the prosecutor very humanely interceded for him; but having been charged with three burglaries, it was not thought fit to commute his punishment.

The prisoners, three of whom were very old and notorious offenders, made no material confessions to the clergyman who attended them in their last moments; but Orrell, alias Lansimore, declared to a stable-keeper the night before, that he and a man long since hanged, called *Irish Jack*, and another not taken nor known, were the three who murdered Mr. Mellish. This gentleman was a widower, and had lost an amiable wife twelve months before, being, through a fright, untimely delivered of a child, who survives the melancholy loss of his unfortunate parents. Mr. Mellish was  
barbarously

barbarously wounded by robbers on Hounslow Heath, and died in the most excruciating pain. Several had been robbed at the time of the murder in the same place.

Clarke attempted in his defence to prove an *alibi*, and called James White, a barber, in Lambeth Marsh, who, together with his wife, swore that the prisoner called at their shop on the night of Saturday, the 10th of November, between 8 and 9 o'clock, and had himself shaved. But the husband swore that the prisoner had not called on him for 3 or 4 months before; and the wife, who had been out of Court when he gave his testimony, being asked if the prisoner had not called frequently during the last month, said he had and then, upon receiving a hint from her husband, denied that statement, and prevaricated very much.

At the gallows he behaved with the most hardened depravity. He threw his hat among the spectators, and seemed quite unconcerned at the awful fate that awaited him; Mackaway was also frequently seen to laugh while the clergyman was praying by them; the other unfortunate men appeared more contrite and resigned. Clarke was hung in chains near his accomplice on Hounslow Heath.

The souls which cannot be awakened from sin by repentance, must be in a dreadful state!

*The Remarkable Trial of JEAN PREVOT, for the Wilful Murder of CAPTAIN WILLCOX, Commander of the Lady Jane Shore, a Botany Bay Ship.*

JEAN PREVOT, a French boy, about 18 years of age, was indicted at the Old Bailey, Dec.



20, 1799, for that he, on the 1st day of August, 1797, on the high seas, within the jurisdiction of the Admiralty of England, feloniously, and of his malice aforethought, did kill and murder James Willcox, Captain of the Lady Jane Shore transport ship.

Upon the prisoner's being put to the bar, he desired, through the medium of a French interpreter, that his Jury might be composed of half foreigners and half Englishmen.

The request had been anticipated, and a sufficient number of foreigners summoned; but when their names were called over, few of them appeared; the Court was kept waiting near two hours, and messengers were sent to their respective habitations; but some of them were in the country, and others returned for answer, they were unwell.

Lord Eldon was extremely angry, and intimated his determination to teach those foreigners who were summoned upon juries, and refused or neglected to attend, that the laws of the country were sufficiently competent to them; he wished to have it understood that persons so conducting themselves were liable to a further punishment than merely having a fine imposed upon them, and he observed, that if ever he witnessed in future a similar instance of contumacy to the Courts of Justice of the country, he would punish the persons so offending with imprisonment as well as fine.

After a considerable time had elapsed, six foreigners were obtained, and the Jury, constituted agreeable to the prisoner's wish, was impanelled.

Dr.

Dr. Nicholls, the King's Advocate, after some introductory observations upon the heinousness of the crime of murder, briefly stated the circumstances, which were afterwards detailed by the witnesses.

Mr. Minchin said, he commanded the troops on board the *Lady Shore*, which was a transport carrying troops and convicts to Botany Bay. On the 1st of August, 1797, about four in the morning, while the ship lay off Cape Friou, on the coast of Africa, he was disturbed from his sleep by a noise on the deck; when he got up to see what was the matter, he found the hatchway fastened down, and at the same moment saw Captain Willcox, who commanded the ship, lying wounded at the bottom of the ladder; he took him up, and put him into his birth, and on the following day he died. Captain Willcox, before his death, appeared perfectly sensible, and knew that he could not recover of his wounds. The witness had several conversations with him before his death, and learnt from him the manner in which he got his wounds. He said, that upon first hearing the noise on deck, and running out of his cabin, he felt the stroke of some sharp instrument: as he went towards the ladder to call the witness, the prisoner Prevot, he said, met him and stabbed him with a bayonet. Captain Willcox's wounds, which were in his neck and breast, were dressed by the surgeon and the witness had no doubt but these wounds were the cause of his death. As soon as day-light appeared, the witness saw Prevot, who was a mariner on board the ship, standing as a centry over the hatchway, and with a cutlass and pistols; he had also on his head the hat of Captain Willcox. The hatches were kept down by

the mutineers, and none of the officers were suffered to come on deck. The body of Captain Willcox was buried out of the cabin window. The witness remained on board the ship for 15 days after this affair, and during that time the mutiny continued, and the prisoner was actively engaged in it. He heard the prisoner say, that it was not the first mutiny he had been concerned in; and in the English language he told an Irishman, one of the mutineers, that he was the man who had *done for the b——r*, meaning Captain Willcox. The witness, with some others, was at length put into a boat, and they got into Port St. Pedro, on the Brazil coast: the surgeon was kept on board the ship, and he has not since returned to England.

Robert Welch, an officer who was on board the Lady Shore at the same time, said, that when he endeavoured to go on deck at the time the mutiny broke out, to see what was the matter, he was prevented by three men with bayonets fixed to their firelocks, and he saw the prisoner standing centry at a gun which was loaded with broken bottles, and pointed down the hatchway, for the purpose of preventing the people from coming up. The remainder of the witness's testimony was the same with that of Capt. Minchin.

Mr. Frazer was an Ensign, and on board the Lady Shore at the time in question; when he was permitted to go on deck, he saw the prisoner armed and standing sentry at the after hatchway. He heard him say he was the person who killed Captain Willcox, and that he was not the first man he had assassinated. This witness, as well as the last, heard Captain Willcox say, that he was stabbed  
by

by French Jack, which was the name the prisoner was known by.

The wife of a Serjeant, and a French sailor, who was not engaged in the mutiny, gave a similar testimony, and heard the prisoner boast of the murder he had committed.

The prisoner, in his defence, which he delivered through the medium of an interpreter, denied the murder, and said he was forced to take a part in the mutiny.

The first witness, Captain Minchin, being again called and examined by Lord Eldon, said, that the prisoner had voluntarily entered on board the ship at Falmouth, previous to her sailing; most of the French sailors on board the ship were Emigrants, who had entered into the service of this country; there were 15 of them, besides the prisoner, engaged in the mutiny, with very few English, and several Irish.

After a very able charge from Lord Eldon, the Jury, without retiring, found the prisoner—*Guilty of Murder.*

Sir Wm. Scott then passed sentence on the prisoner; that he be hanged on Monday, and his body then given to the surgeons for dissection.

The prisoner seemed wholly to disregard the sentence, and laughed in the face of the Court as soon as it was pronounced.

Monday, Dec. 23, between the hours of two and three, he was hanged at Execution Dock, pursuant to his sentence.

We are all apt to commiserate the frailties of nature, but every one must shudder at hardened depravity.



*The Trial and Execution of JOHN HARTLEY, (a Private in the Third Regt. of Guards) for the Wilful Murder of GEORGE SCOTT, another Soldier.*

ON Friday, February 21, 1800, at the Sessions House, in the Old Bailey, John Hartley, late a private soldier in the third regiment of foot Guards, was indicted for the wilful murder of George Scott, a brother soldier, by maliciously running a sword into his belly, and thereby giving him a mortal wound, on the 29th of January last, at the Black Lion public-house, in Bayswater, of which wound he died.

The following are the whole particulars of the melancholy transaction, which is not a little singular, from the unfortunate sufferer not having given the slightest affront so as to induce the prisoner to be guilty of so foul an offence.

The first witness called, was a constable, who merely stated the fact of his having been sent for to the Black Lion, at Bayswater, on the 29th of January, to take the prisoner into custody; that when he came to the house the wounded man was dead; and as he was conveying the prisoner to town, he acknowledged having murdered the deceased, said he was very sorry for it, and hoped that the witnesses who were then present, would say it came from a quarrel.

Henry Kendrick, a soldier, related the particulars of this unfortunate affair as follow:—He deposed that he, another soldier of the name of Rudkin, and the deceased, who was also a soldier, were together at the Black Lion, at Bayswater, in the afternoon of the 29th of January; that a higgler, named Davis, was also in the tap-room.

About

About six o'clock, the prisoner and his brother-in-law James Bull came in, they had some ale, and at near eight o'clock Bull went away. The prisoner then wished to join their company, and wanted to drink with them, but to this the witness objected, telling him, he had better keep his own company: the deceased then interfered in his favour, answering, that they were all soldiers, and that his pot was as good as another's. The prisoner then joined them.

They remained till they had four pots together, when Rudkin considering it was time to return to his barracks, they paid the reckoning, agreeing at the same time, to have a parting pot. This the witness fetched, and observed, that as it was only pence a-piece it had better be paid for at once, for short reckonings made long friends. The prisoner immediately said, "I'll see you damned before I'll give you a penny." "Nay," returned the witness, "there is no occasion to see one damned, but you ought to pay if you drink among us."

On this the deceased started up and said, that as he had been the cause of introducing the prisoner into their company, sooner than there should be any words, he would pay the penny for him, as soon as he came back from the door, to which he wanted to go; and then approaching the door, the prisoner thrust his sword into him, and which the witness saw him draw out of the belly of the deceased, who cried out, "I'm a dead man." The deceased then stepped back, fell, and expired in about a quarter of an hour.

The prisoner then holding up his sword, the witness struck him over the arm, took the sword away, and broke it. The prisoner then attempt-  
ed

ed to escape ; but Davis and Rudkin struck him several blows over the face, and then secured him.

This witness accompanied the constable to town, when he had the prisoner in custody, the latter of whom said to him, as they went along, “ Don’t hurt me ; there is no occasion for you to tell all you know.”

The whole of this story was confirmed by Rudkin and Davis, and they all three positively affirmed that no one struck the prisoner until after he had given the fatal wound ; that none of them played at domino along with the prisoner, nor had they any spirits to drink.

The landlord confirmed the latter part of their testimony, and added, that he had heard neither high words nor scuffle, but that they appeared as far as he saw to be very good company, until the fatal circumstance took place, on which he went into the room, and the man was lying on the floor.

The surgeon who had examined the body described it as having received a wound in the belly, about two inches from the navel, which appeared to him to have been made by a kind of dagger, and which wound was most certainly the cause of his death.

The prisoner in his defence, gave an account of his going to the above house ; and then said that as soon as his brother was gone, the deceased challenged him to play at domino for half a gallon of beer ; that they did so, and he, the prisoner lost the game ; that he then went to sleep, and they awakened him, for the purpose of making him pay part of six pots of beer ; that they then tossed up for a shilling’s-worth of gin, which was brought

brought in, and being drank, he laid his head down upon the table: he was awakened the second time, and asked for a penny towards another pot of beer, which he refusing to give, the deceased struck him several times on the face, and gave him two black eyes, (of which indeed there was *primâ facie* evidence, as he appeared much bruised about the head).

He threatened, if he was struck again he would cut him down with his sword; Kendrick asked, what he said? he repeated it, when they beat him over the face until the blood came out of his mouth; and in that state he had made use of his sword.

Three witnesses were called to shew Rudkin had given a different account of the transaction, and to fix the idea of his being actuated by malice, from his having said, “the prisoner is a big villain, he has killed my comrade, I’ll never forgive him, but would go an hundred miles to see him hanged.”

The Colonel of the Third Regiment of Foot Guards, the Serjeant of the Company to which he belonged, and at least a dozen respectable witnesses appeared in the prisoner’s behalf, all of whom spoke of him as a quiet humane young man.

Baron Hotham, who tried the cause, then called the several witnesses again, consisting of the constable and the company who were present; but they were all clear and consistent in their testimony, and agreed, that the beating was after the murder.

The Jury went out of Court and after a consultation of near half an hour, returned a verdict—*Guilty*.



In the evening the recorder passed sentence on him, namely, that he should be executed on Monday morning, and that his body be afterwards delivered to the surgeons, for the purpose of being anatomized.—He was executed pursuant to his sentence, February 24th—This unhappy man conducted himself with great fortitude, bowing repeatedly to his comrades, who attended in great numbers. Previous to his being turned off, he requested that his infant child might be brought to him, at sight of which he seemed much agitated, and kissed it with great affection. Two females who were in the crowd fainted, and were with difficulty conveyed away.

May the concern which prevailed, touch the heart of every sinner!

*The Trial, Behaviour and Execution of JOSEPH S. ABBOTT, for Forgery, PETER CHAPMAN, JOSEPH JONES, and JOHN HALL for a Burglary.*

ON Saturday, January 18, 1800, at the Sessions-house, in the Old Bailey, Joseph Samuel Abbot, (aged only 18,) was indicted for having on the 22d of October feloniously forged and counterfeited, and caused to be forged a certain power of attorney, for the transfer of 450l. stock, belonging to a benefit society, with intent to defraud the Governor and Company of the Bank of England.

Thomas Bateman, a clerk in the Bank, in the department of the 4 per cent. office, and also examiner of the powers of Attorney, said that this  
power,

power, of which John Purse, Joseph Abbot, James Little, and William Sibbald, were made parties—passed through his hands officially examined—having examined the hand writing, he was well satisfied with those of Purse, Little and Sibbald, but found a material difference in that of Abbot. The prisoner, who acted as Attorney, said it was his father's, and being grown infirm did not write as he did formerly—and that he was so very ill he could not come himself to transact business.

Richard Hilton, stock-broker, said he had known the prisoner between eight and ten years ; that on the 10th of October, the prisoner came to him to sell 450*l.* stock, 4 per cents. by power of attorney ; which he sold to a Mr. Smith, and paid the money to the prisoner at the bar, with Mr. Smith's draft.

William Sibbald said he was member of the benefit society ; that the prisoner's father was clerk, and the prisoner had acted a year or better for his father ; he applied to the witness to sign a paper concerning his character.

The prisoner in his defence addressed the Court as follows :

“ I am entirely innocent of the crime with which I am charged ; I am aware that my word, as a prisoner, will avail but little ; but my Lord, it was regularly signed by the parties who had a right to sign it, and made over to me, and therefore I thought myself justifiable in converting it to my own use ; knowing the fate of those who do commit such crimes, would have deterred me ; but these men knew, that if I did not make the property good, it would not have been made good :

so they have applied to the Bank to make it good; in so doing they have endangered my life. I hope, gentlemen, you will take my case into your serious consideration; and if you adjudge me guilty of death, I shall endeavour to meet my fate with as much resignation as possible."

The Jury found a verdict of *Guilty*.

John Hall, Peter Chapman, Joseph Jones, Sarah Boreham, and Elizabeth Jones, were indicted, the three first for breaking and entering the dwelling house of Messrs. Tyler and Leacock, shop-sellers, in the minories, on the night of the 31st of October last, and stealing therein various articles of clothes, linen, watches, plate, &c. to the amount of 210*l*. The women were indicted for being receivers.

Joseph Jones pleaded *Guilty*. There was no evidence to affect Sarah Boreham; and the facts proved against the others were briefly these—The prisoner Hall, on the night in question, engaged a hackney coach (No. 66) which he brought from Drury-lane Theatre, at 11 o'clock, and kept it in waiting near the place where the burglary was committed, till five the next morning. The driver of the coach, whose name was Salmon, swore that he received the prisoners Hall and Chapman, together with several bundles, into the coach, and set them down at the house of a man named Bath near Finsbury-square; that they took the bundles out and carried them into this house. In consequence of information given by the coachman, who was afraid of being involved in the business, to the officers of a public office, a search was made in Bath's house, and most of the goods found there. There were also found several instruments like those used by house breakers;

breakers ; and one of these, which was an iron crow, fitted the breaches that had been made in the door of the prosecutor's house on the night it was broke open. The evidence against the woman was, that of having been asked if she had received or pawned any things, and her denying that she had ; but that, when she was searched, a duplicate was found upon her for some silk handkerchiefs which she had pawned. The prosecutors could not swear to these handkerchiefs.

Hall and Chapman were found *Guilty*.—Eliz. Jones, and T. Boreham,—*Not Guilty*.

Wednesday, February 26, 1800, these four wretches were executed before the Debtors door, Newgate, in the Old Bailey, pursuant to their sentences. Abbot, behaved with becoming propriety. Jones and Hall appeared penitent and resigned to their fate ; but Chapman displayed instances of the most abandoned depravity. On his being brought out to mount the scaffold, he leaped up the steps that led to it, and then instead of attending to the clergyman, nodded to the females that appeared in the windows opposite, laughed at them sometimes immoderately, kicked off his shoes, one to the right and the other to the left, amongst the crowd who came to witness his disgraceful end ; in short he did every thing he thought could prove his contempt of death.

Chapman, like Clarke and others who have *gone before*, seemed to have made a triumph of what should have been his shame !



*Interesting Particulars, Parentage, Execution, &c.  
of RICHARD FERGUSON, alias GALLOP-  
ING DICK, who suffered at AYLESBURY, for a  
Highway Robbery. 1800.*

**R**ICHARD FERGUSON, alias Galloping Dick, was born at a village in Herefordshire. His father was a gentleman's servant, and being frequently in London, Bath, and other places with his master, he could not consequently bestow that strict attention to the education and morals of his son which his own conduct gave every proof he would otherwise have done.

Young Dick was sent to school at a very early age, but made very little progress, nor could a master of some eminence, under whom he was afterwards for some time, instil the commonest school education into him.

He gave very early proofs of that daring, wicked disposition, which afterwards rendered him infamously noted. While among his companions, if any mischievous project was set on foot, young Dick was sure to be their leader, and promoted it as far as in his power.

At about fifteen years of age, Dick's father finding him make so small a progress in learning, and given to such mischievous pranks, resolved to employ him under his own eye. The coachman being at this time in want of a stable boy, young Dick was taken to fill up the vacancy. He took great delight in his new employment, and being a smart active youth, was very much noticed in the family. As he paid particular attention to the horses, he soon made astonishing progress in the management of them.

About

About a year afterwards young Dick came to London with the family. During their stay in town, the postillion was taken ill, and Dick was appointed to supply his place till he recovered, which was not very long.

Dick was now stripped of his fine livery, and sent to occupy his station as a stable boy. This his haughty spirit could not brook. Fond of dress, and being thought a man of consequence, he resolved to look out for another place. Accordingly he told his father of his resolution, and asked his advice. His father knowing he was well qualified, in respect to the management of horses, told him he would look out one for him.

A circumstance happened that very afternoon, highly gratifying to our hero's pride. A lady who frequently visited the family, being in want of a postillion asked Dick's master what had become of his late postillion. Being informed he was in his place, and was very fit for her employ, he was sent for and hired.

Dick was now completely his own master, and for some time behaved to the satisfaction of his mistress. He was a great favorite in the family, particularly among the female part. He was now in his twentieth year, and though not what may be termed handsome, there was certainly something very agreeable, if not captivating, in his person. For some time he lived happily in this family, until his mistress discovering him in an improper situation with one of her female servants, discharged him immediately. Nor could any intercession afterwards, prevail upon her to re-instate him.

He soon afterwards got another place, in which he did not long remain. He had at this time got  
connected

connected with some other servants of a loose character, and their manner of drinking, gaming, and idleness, suiting his disposition, he soon became one of them. After losing several good places, by negligence, he applied to a livery stable in Piccadilly, and obtained employment.

Dick's father now died, and left him the sum of 57l. which he had saved during the time he lived in the family. With this sum he commenced gentleman. He left his place, bought mourning, frequented the theatres, &c. One evening, at Drury-lane, he got seated by a female, who particularly engaged his attention. He took her to be a modest lady, and was very much chagrined at finding her readily granting his request to conduct her home. He resolved to leave her, but found his resolution fail him, and at the end of the play he conducted her home to her residence in St. George's Fields, and staid with her the whole night.

Next morning, after making her a handsome present, he took his leave, with a promise of soon repeating his visit. He went home, but this artful courtesan had so completely enamoured him, that he could not rest many hours without paying her another visit, and only for the accidental visit of some companions, he would have returned immediately. With them he reluctantly spent the day, and in the evening flew again on the impatient wings of desire to his dear Nancy.

She, suspecting him to be a person of considerable property, from the specimen she had of his generosity, received him with every mark of endearment in her power. Indeed, she was as complete a mistress of the art of wheedling as perhaps any female of the present day. At the time

Richard

Richard Ferguson became acquainted with her, she was the first favourite of several noted highwaymen and housebreakers, who, in turn, had all their favoured hours. While they could supply cash to indulge her in every species of luxury and extravagance, she would artfully declare no other man on earth shared her affections with them; but their money once expended, cold treatment, or perhaps worse, compelled them to hazard their lives for the purpose of again enjoying those favors which any thinking reasonable man would have spurned at.

Unfortunately for himself, Ferguson became as complete a dupe as ever she had ensnared. What money he possessed, what he could obtain by borrowing or otherwise, was all lavished on this insatiable female, and he was, after all, in danger of being discarded. He was a total stranger to her connections with the *gentlemen* of the road, though he knew she bestowed her favours on others.

Not able to bear the thoughts of entirely parting with his dear Nancy, he went to an inn in Piccadilly, offered himself as a postillion, and was accepted. Whenever he could obtain a little money, he flew with impatience to his fair Dulcinea, and squandered it away in the same thoughtless manner.

As he drove post-chaises on the different roads round the metropolis, he frequently saw his rivals on the road gaily mounted and drest. One day driving a gentleman on the North road, the chaise was stopped by the noted Abershaw and another, with crapes over their faces. Abershaw stood by the driver till the other went up to the chaise and robbed the gentleman. The wind being  
very



very high, blew the crape off his face, and gave Ferguson a full view of his face. They stared at each other, but before a word could pass, some company coming up, the two highwaymen galloped off.

At this period Ferguson was under the frowns of his mistress, for want of money. They perfectly knew each other, from having often met together at Nancy's. Abershaw was very uneasy at the discovery, which he communicated to his companion. A consultation was immediately held, and it was resolved to wait at an inn on the road for the return of Ferguson, and bribe him, to prevent a discovery. They accordingly went to the inn, and when Ferguson came back, and stopped to water his horses, the waiter was ordered to send him in. After some conversation, Dick accepted of the present offered him, and agreed to meet them that night, to partake of a good supper.

With this fresh recruit of cash he flew to his Nancy.—But she being otherwise engaged, and not expecting him so soon to possess sufficient for her notice (being now acquainted with his situation in life) she absolutely refused to admit him, and shut the door in his face. Mad with the reception he had met with, he quitted the house, and resolved never to visit her more; which he strictly adhered to.

Ferguson, nettled to the soul, was proceeding homewards, when he met the highwayman who accompanied Abershaw, and went with him to the place of rendezvous in the Borough, where he was received by those assembled with every mark of attention. They supped sumptuously, drank wine, and spent the time in noisy mirth. This exactly suited Ferguson; he joined in their mirth,  
and

and when sufficiently elevated, very eagerly closed with a proposition to become one of their number. He was, according to their forms, immediately initiated.

When the plan of their next depredations on the public was settled, Ferguson was not immediately called into action, as it was suggested by one of the members, that he could be better employed in giving information at their rendezvous, of the departure of gentlemen from the inn where he lived, &c. whereby those who were most likely to afford a proper booty, might be way-laid and robbed. This diabolical plan he followed too successfully for some time: taking care to learn from the drivers, the time post-chaises were ordered from other inns, &c. He shared very often considerable sums, which he quickly squandered away in gambling, drunkenness, and debauchery.

At length he lost his place, and consequently his knowledge respecting travellers became confined, and he was obliged himself to go on the road. As a highwayman he was remarkably successful. Of a daring disposition he defied danger, and from his skill in horses, took care to provide himself with a good one, whereby he could effect his escape, when others ran every risk of being taken. Of this we shall mention one remarkable instance. Two others and himself stopped two gentlemen on the Edgeware road, and robbed them; soon after three other gentlemen coming up, they pursued, and Ferguson's two companions were taken, tried, and executed. When his associates complimented him on his escape, he triumphantly asserted, that he would gallop a horse with any man in the kingdom, and that he was

known among the *gentlemen of the whip*, by the appellation of *Gallopping Dick*. Through this circumstance he obtained that name among his companions, which afterwards became general.

He now indulged himself in every excess. His amours were very numerous, particularly among those married women he could, by presents or otherwise, induce to listen to his brutal desires. He prevailed upon the wives of two publicans in the Borough to elope with him, and carried on several private intrigues with others.

One of the last places in which he lived he was frequently employed to drive post chaises between Hounslow and London, and notwithstanding he drove close by his old companion Abershaw, where he hung in 'irons, it had no effect in altering his morals.

We have now given a faithful detail of the early part of the life of this noted highwayman, and the manner of his first taking to the road. To follow him through the various wicked exploits in which he was afterwards engaged, would require volumes to enumerate. We shall only briefly state, that he was concerned in a very great number of robberies committed round this metropolis. At the time that he lived at different inns as a post chaise driver, he went on the road, and kept up a connection with almost every infamous character of the day. He was concerned (as appeared by the evidence of an accomplice) with Middleton, Harper, &c. in the robbery at Brixton Causeway, in 1799, and most of the other robberies committed on that road.

He latterly became very infamous. He was repeatedly in custody at Bow-street; suspected with committing different highway robberies; he has  
been



been tried at the Old Bailey, but nothing could be properly brought home, till the crime for which he suffered. He was apprehended by some patrols belonging to Bow-street, and taken to Bow-street; thence conveyed to Aylesbury, Bucks; and there tried and convicted of a highway robbery in that county.

When he found himself left for execution, he seriously prepared for his approaching end, and when he came to the fatal tree, met his awful fate with a becoming resolution, and such a religious resignation, as could only be inspired by the firm hopes of the pardon of all his transgressions, through the merits of his blessed Redeemer.

Galloping Dick, as this unfortunate man has been stiled, seemed, indeed, to have taken a hasty road to perdition. Happy had it been for him, had he chosen the safe path of virtue, and ran a good *Race*!

*Particulars of* VALENTINE MIDDLETON, J. SLATE, *alias* GEORGE HOOKER, CHARLES EDLIN, *alias* ADLIN, THOMAS HASHWELL, *and* WILLIAM LEE, *executed at the New Goal, in Horsmonger Lane, in the Borough, April 4. 1800.*

AT the Lent Assizes, for the county of Surry, held at Kingston, twelve malefactors received sentence of death: and the five following were ordered for execution on a Friday morning: viz. John Slate, alias Hooker, Thomas Hashwell,



Wm. Lee, Charles Adlin, alias Edlin, and Valentine Middleton — When they received sentence, his Lordship admonished them all to prepare for their fate, and not flatter themselves with hopes of a reprieve.

On the last Sunday morning, these five unfortunate criminals were conducted to the chapel, for the purpose of hearing the condemned sermon. The gentleman who preached, was the Rev. Mr. Winkworth, and he took his text from 1st Corinthians, chap. xv. ver. 56, 57.

*The sting of death is sin, and the strength of sin is the law. — But thanks be to God which giveth us the victory, through our Lord Jesus Christ.*

The prayer before the sermon was one of the finest pieces of composition ever heard, and not only made a due impression on the unhappy culprits, but also drew tears from a number of the auditors. The sermon treated upon the ill consequences of a wicked life, and concluded with an earnest exhortation to the prisoners, to make the best use of the short time they had to live in this world, as the only means of procuring them comfort and happiness in the next; in short, the whole of the discourse was such as breathed the true spirit of christianity. The auditors consisted of nearly one thousand persons, of whom the sum of 42l. 17s. 6d. was collected at the door of the prison, which was distributed among the distressed prisoners.

John Slate, alias Hooker, was the oldest of these five most unfortunate men, being in his 32d year; he was born in the neighbourhood of Golden-lane, and resided there at the time he was taken; he served his apprenticeship to a weaver: he was tried for the same robbery with Middle-

ton

ton but acquitted. He was sometime since convicted of a burglary in Milk-street, for which he was transported; but returning before the expiration of his time, he was tried for that offence, and convicted.

Thomas Hashwell was in his 30th year, and served his apprenticeship to a carpenter. He was brought to his untimely fate by traiterously forging and counterfeiting half-crowns, shillings, and sixpences.

Charles Edlin, alias Adlin, was in his 29th year, and followed the occupation of a labourer. He was convicted of a burglary in the dwelling house of W. Simpson and J. Froom, and stealing there-out 84 calf-skins, tanned and dressed, and other goods, their property.

Valentine Middleton, aged 26, was born of creditable parents in Surry, who gave him as good an education as their circumstances would admit, and placed him an apprentice to a goldsmith. After completing his apprenticeship, he betook himself almost entirely to those wicked associates he had connected himself with; was for some time known as a noted daring highwayman, and was concerned in most of the robberies lately committed round this metropolis. He resided in Kent-street, in the Borough, and occasionally lodged in Chick-lane. He was a companion of the infamously notorious Galloping Dick, who was executed at Aylesbury, and was concerned with him, Slate, and others (six in number) in robbing, and ill-treating T. Comber, driver of the East Grinstead waggon, on the 20th of August last, at Brixton Causeway; he (Middleton) acknowledged, at the time sentence was passed on him, with being the first who entered the waggon.

He

He was brought to an untimely end, by robbing John Kingman on the highway, on Wimbledon-hill. Middleton was the first who attacked him, firing a pistol, which missed Kingman.

William Lee, aged 24, was born in the neighbourhood of Old Bedlam, and worked at his trade (a pen cutter) near Chancery-lane. He was convicted on the clearest evidence of a burglary in the house of Samuel Nicholson, and stealing fundry articles.

About 9 o'clock, they ascended a few steps to the fatal platform, which was fixed at the top over the entrance of the goal, and behaved in a becoming manner. When the dreadful apparatus was adjusted, the signal was given, and they were launched into eternity. After hanging the usual time their bodies were cut down.

The apparatus was fixed up the preceding day, and the different avenues to the goal was thronged the whole afternoon. Being the first execution at that place, a vast concourse of people attended. A temporary building was erected opposite the goal, which was crowded with spectators, as well as every place where even a glimpse of the unhappy sufferers could be obtained.

Sin is death's sting, which punishment receives,  
But thanks to God, the victory Christ gives.

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### *Interesting Particulars of the Famous JANE GIBBS.*

THE County of Cornwall is said to have been the native place of this woman, and, indeed, her



her speaking in general with a west country accent, tends to render this assertion more valid.

Her father was a farmer, in a small way, from whom, as soon as she was turned thirteen, she never received a shilling, being obliged to earn her bread (from that time) by her needle. She then came up to town, and went to the house of Lady Tent, in Berkeley Square, where the laundry-maid, taking compassion on her, took her in without her lady's knowledge. From thence she went to Richmond, where the house-keeper at Petersham Lodge took her in, until she enquired her character of Lady Tent's laundry-maid. She was afterwards under the house-keeper at Mrs. Long's, who advised her to get another place. She had been out of place about a fortnight, when she hired herself to Major Smith, of Sloane Street; but here she staid only a month, being discharged (as she pretends) on account of her being so deaf she could not hear the bell. She then took lodgings in York Court, Earl Street, Mary-le-bone; at which time she had some pounds in her pocket, said to have been sent her by her uncle, a butcher in Gloucestershire.

She staid about twelve months at York Court, and from thence removed to Blandford street, where she was taken ill; during which time, a gentleman, who knew her character, allowed her half a guinea per week, but of whose name she pretends to be totally ignorant, and asserts that he was old enough to be her grandfather. Soon after this, her sister dying, left her property to the amount of 15 or 16*l.* and a lieutenant in the army, also allowed her a certain sum of money.

About



About Christmas, 1799, she attacked Dr. Ford, the present ordinary of Newgate, as he was going from Hand Court, to his apartments in Bedford street, Bedford-row : nearly at the top of Brownlow street, which is badly lighted, and much worse watched, she accosted him in the usual stile of women of the town, and upon his telling her that from his years and profession, he was not likely to become a customer of her's, she renewed her solicitations, and attempted to lay hold of him ; he then crossed the way, and knocked at a door, in hopes of getting rid of her, but she followed him, and becoming very riotous, cried out " you b—dy thief, return me the money you have taken from me." Dr. Ford told her she had changed her blandishments wonderfully, as she had been before remarkable loving. She then attempted to seize his pocket, which rather alarmed him, as she being taller, than himself, he was apprehensive she was a man in woman's clothes ; impressed with this idea, he threatened to knock her down, and upon this she called watch ! but none came ; the doctor then insisted upon her leaving him, which she agreed to, on condition of his giving her something to drink. This he positively refused to do, and on his telling her he thought the produce of the pump the properest for her, he got rid of her. The same gentleman has seen her several times since, in different disguises, seemingly with the intention of taking in the unwary.

The first circumstance that introduced her to public notice, was the affair of Mr. Beck, who was indicted at the Session-house, in the Old Bailey, September 21, 1799, for robbing her in Kensington Gardens, on Thursday, the 30th of June.

Jane

Jane Gibbs related, that on the above mentioned day, she walked to Kensington Gardens, having just recovered from a severe fit of illness, and got there about three in the afternoon; she went into a summer house and sat down, where she had been darning a pair of stockings about three quarters of an hour, when the aforesaid John Beck entered the summer house, and sat down; he then asked her "where she lived?" to which she replied, "why do you ask me? I am not a bad girl, nor shall you take any liberties with me;" and she said, that after wishing he could get some ale, he asked her to give him change for a shilling, upon which she pulled out a red morocco pocket book from her left hand pocket, which contained 10 guineas in gold, eight old and two new, a crooked half-guinea, a crooked 7s. piece, and a plain one: on finding she had no change, she put it in her left hand pocket again; Beck then said, "you are not a girl in distress?" to which she replied "thank God I am not!"

She farther stated, that he proposed a walk to her, which she refused, and that another man coming into the same box, no more passed at that time. The stranger and Beck talked together for some time, but as she was hard of hearing she was ignorant of the subject of their discourse, and the stranger went away soon after.

Upon this, Beck rising from his seat, looked round the place, to see if any one was near, and then seizing her by her two arms, flung her on the bench, placed his knee on her stomach, and picked her pocket, from whence he took the above mentioned pocket book.

She then stated, that on her imploring him to return the money, as it was all she had in the

world, he run behind the box, and shewing her the money, said he had only taken it from her to frighten her, and that he then put it into his own right hand coat pocket, and ran away across the garden, towards Hyde-park-corner; upon which she pursued him nearly three quarters of a mile, when one Thomas Winter, (a servant belonging to the palace) and two others, coming up, she implored them, "for Christ's sake" to take Beck, telling them, at the same time, she was robbed of all her property, by that man in a blue coat and black collar. She had no sooner done speaking, than she dropt down with fatigue. She also declared, that the aforesaid John Beck, in running, kept crying out "a mad woman, a mad woman." Several persons came to her assistance, among whom was captain Willis, of Kensington-Palace; she told him of what had passed, and described the money as above. Beck, who had been taken by Winter, was now brought back; he had thrown the pocket book away; but on a bye-stander saying "if you have got the money, give it to the poor girl, she will not hurt you," he put his hand into his pocket, took out the money described, with plenty of silver, threw it on the ground, and falling on his knees, acknowledged that he had taken it. She then stated, that he picked it up, having been ordered to do so by captain Willis, and put it in his pocket. Captain Willis then ordered his servant to take Beck to Bow-street; the latter, on his way thither, intreated her several times to forgive him; and on being asked by one of the men, what he would give to make it up, he declared, all he had in the world, rather than be brought to shame and disgrace. "And again offered all his money," which she refused.

And



And further stated, that on their reaching Bow-street, after several hearings, he was fully committed for trial.

Stephen Ledyard, who was formerly coachman to the Rev. Mr. Thompson, Kensington, but now to Mrs. Reynolds, Bedford-square, and Thomas Winter, a labouring man in Kensington-Gardens, both corroborated her assertions as far as related to their pursuing, taking, and bringing him to Bow-street.

The money was then produced by Ledyard, in whose possession it had been from the time of Beck's being committed, and corresponded with the description given of it.

The prisoner Beck was then called on for his defence, who, after addressing the court in a very decent unembarrassed manner, stated his case as follows :

That as he was passing through Kensington-Gardens, on Thursday, the 30th of June, a woman (whom he has since found to be Jane Gibbs,) was sitting in the summer-house, mending a stocking ; she beckoned him to her, and made him sit down : a conversation then took place, in which she pretended to know, or thought she had seen him somewhere. She then told him she was the widow of an officer ; which caused him to observe that she must be a gentlewoman, and that afterwards she intreated him to go with her to her lodgings near Portman-square ; and on his declining that, mentioned several other houses, of general accommodation, and at last pressed him to retire with her among the trees.

On her finding him deaf to her entreaties, she requested him to give her something to drink ; on which, putting his hand in his pocket, he took



out the gold she had described, and 16 or 17s. in silver. She then seized his hand and took the money out of it, but on his remonstrating with her, she returned it, and renewed her entreaties that he would give her something to drink; to which he only replied, that her late behaviour did not deserve it, and left her. He further declared, that there were between twenty and thirty hay-makers working at no great distance from them, who could have heard her cries distinctly, had he used any violence towards her, and, that as soon as he had passed them, he heard her call out "Murder! Stop Thief!"

Thinking her crazy, and not wishing to have any more to say to her, he of course endeavoured to fly from her, but was pursued, overtaken, and brought back, which reduced him to such distress and apprehension, that he would gladly have given all he was worth, to avoid the disgrace of being brought before a magistrate; and he solemnly declared, it was solely on account of his having a wife and family and some respectable connections, whom he could not bear the idea of bringing to shame, that he was induced to give up all he had.

Several witnesses came forward voluntarily for the prisoner, particularly Mr. Brace, and Dr. Ford, the latter of whom declared, he came there by mere chance, without having the least idea of becoming a witness; but that he now thought it his duty to explain some circumstances to the Court, which had happened to him, nearly similar to those of the present trial. He then proceeded to state, as the former gentleman had done before him, her former attacks on him.

Mr.

Mr. Clayton, clerk and surveyor to the Navy, who was also accidentally present at the trial, declared he had seen this woman in the gallery on Friday, when she behaved with great indelicacy and in the most indecent manner. He further said, he had a perfect knowledge of her person, and remembered meeting her about a month ago, in Market-lane, when he experienced a deal of rudeness from her.

Fitz. Fitzgerald, an ensign in the army, said, he recollected her perfectly, and had met with similar treatment from her. Lieutenant Bradshaw said she had accosted him about two evenings before the examination at Bow-street, that she told him she was out of place, and very much distressed, and desired he would give her something, as she had not a farthing to bless herself with, upon which he gave her a trifle and got rid of her.

Mr. Hatton Turner informed the Court, that as soon as he saw the prosecutrix at the bar, he remembered having seen her in June last, in a bustle with a gentleman in Newman-street, whom she had charged with having stolen her handkerchief, and that the gentleman was obliged to give her a violent blow in order to get rid of her. Although several others who had met with similar attacks from her, voluntarily offered to come forward, the Jury, (who had long made up their minds) declared that they thought it totally unnecessary for the time of the Court to be any longer taken up, and immediately pronounced the verdict of—*not Guilty*, to the satisfaction of every person present. This was no sooner done, than one of the Jury, a very respectable looking person, declared to the Judges that he had also experienced

perienced from this woman, similar treatment to that which has been already described.

This woman was hissed out of Court, and the Sheriffs were obliged to place her under the protection of a guard of constables to save her from the fury of the mob who stood outside the doors.

During the whole time of her giving evidence, she appeared to be in a violent passion:—she frequently darted looks of fury and rage at the prisoner. Her language was extremely low and vulgar; and the very tone of voice in which she delivered herself was disgusting. She seldom attended to the questions that were put to her; but poured forth a heap of words without much connection or meaning; and without any endeavour to guard herself against inconsistencies and contradictions.

Shortly after this trial, she was had before Justice Clarke, at the Public Office, Bow-street, on Thursday, October 10th, to be examined for attacking a Mr. Evans, an admiralty messenger, on Saturday, the 5th of October, as he was returning from the City, through the Strand. The prisoner came along-side of him, at the crossing of Milford-lane; he took her by the arm, and put her on the other side of the street, where she pretended to faint away, and trembling exceedingly, said, she was frightened out of her wits at the Londoners; she then, after walking some way down the Strand with him, asked what o'clock it was, which he told her; she then said, she was obliged to be at home at ten o'clock, as she lived with a Colonel Edwards, from Shrewsbury, at No. 127, Sloane-street. She continued to walk with him till they came to the end of Whitcomb-street, when, on his attempting to cross,



cross, she hallowed out, "What d'ye want me for? do you want to take my life away?" He farther stated, that, seizing him by the collar, she charged him with robbing her, and called out, "Watch!" in a low tone. No watchman, however, came up; but a gentleman coming by, told him it was the notorious Jane Gibbs, upon which he informed the gentleman of what had passed, and by the advice of Mr. Blogg, who also came up at the same time, took her to a public-house, and from thence to the watch-house, where she wrung her hands, and swore he had robbed her of every thing she had, and gave him in charge to the constable, who refused, saying, he knew her, and would not believe any thing she said. Upon this, she took some money from her pocket, and saying she had more than him, swore very much. Mr. Evans concluded with stating, that he had not the least suspicion it was Jane Gibbs, till the gentleman informed him, or he undoubtedly would not have suffered her to walk with him.

Mr. William Blogg, of Pall-Mall, next stated, that on Saturday night, as he was going home through Cock-spur Street, he overtook the prisoner at the Bar, and a gentleman, whom he afterwards found to be Mr. Evans, called to him, saying, that a woman (meaning the prisoner,) had been endeavouring to extort money from him by various means, and now threatened to swear a robbery against him; that he, Mr. B. knowing who she was, advised him to give her in charge to the watch, which was accordingly done.

John Almond, the inspector of the watch, said, that the prisoner, when in the watch-house, put her hand into her pocket, and pulled out some money,



money, saying, she had no need to extort money, she had plenty of her own.

The prisoner, on being interrogated, said, she was two and twenty years old, was never married, and came about five years ago from the parish of Kennington, near Bridgewater. The rest of her story she related nearly as above; adding, that she never had known the want of a guinea, or crown, till lately; but that she had pawned every thing, on her leaving Blandford Street, and went out of town on Wednesday, (Oct. 2,) to Woolwich, in search of a Major Smith, who, she there learnt, had removed to Canterbury. She slept that night at Woolwich, and returned to London the next day, and went to No. 24, Blandford Street, her old lodgings, but found them let. She then took lodgings in Norton Street, Portland Road, and slept there on Thursday and Friday nights. But that on her bringing her box from her former lodgings, in Blandford Street, to her new one, the people of the former followed her, and telling who she was, where she lodged, they would not let her sleep there on Saturday night. That she therefore came out on the evening, about 7 o'clock, and went to St. Clement's Church to meet a gentleman by appointment, whom she was to inform, she could not find Major Smith. That the former person's name was Wright, and drove a cart to all parts of the country. Whilst she was waiting near the Church, in the Strand, a gentleman came across the way, followed, and caught hold of her arm; that they walked together to Charing-cross. He asked who she was, to which she replied, a servant, out of place. She further stated, that he wanted her to go to the play; and on her refusing,

damn'd

damn'd her for the bitch that brought the man to the Old Bailey, kicked her off the pavement, and took her to the watch-house. She denied ever having made a charge of robbing her against him, or attempting to do it, acknowledging in the watch-house, she had neither money nor watch to be robbed of.

On her cross-examination she varied very much, and a gentleman who was there, mentioned her having abused him in a very extraordinary manner, without the smallest provocation, which, added to the inconsistency of her conduct, induced the Magistrate to think there was a degree of insanity attached to her proceedings.

She pretended to be deaf, yet in the course of her examination, she frequently heard what was said, when not supposed to do so.

The evidence being all gone through, she was committed to take her trial, for the assault on Mr. Evans, at the next Quarter Session, at Westminster, and remanded to Tothill-fields-Bridewell, where she was obliged to be kept in a separate cell, in order to preserve her from the violence of the other female prisoners, who would otherwise have treated her very roughly.

Her deportment was generally the same as when she appeared against Mr. Beck; at times trembling, fainting, and pretending to be much affected at her situation, and then looking round the Office, with an expression of the greatest contempt and audacity towards the persons present.

The mob, gathered about the Office, at the time of her examination, were immense, and, as she passed to and from the place, they assailed her with every mark of detestation; and had it

not been for the exertions of the officers who held her in custody, she would, in all probability, have fallen a sacrifice to their fury. The struggle to get into the Office was, perhaps, never equalled at any of the theatres.

Her trial for this assault came on at Guildhall, Westminster, Oct. 24, but the prosecutor not adhering to his previous story, she was acquitted. Mr. Mainwaring (the chairman) directed that she should be taken back to the bail-dock, till the croud was dispersed. She received a general hiss as she passed through the Court.

After this she went to Windsor, and practised a similar trick to that exhibited in Kensington Gardens. She came to Slough by one of the long stages, where she alighted, and bargained with a man of the name of Silver, to carry her box to Windsor for a small gratuity. Soon after her arrival at Windsor, she visited Eton, where she lodged a charge before one of the Buckinghamshire Justices, that Silver had robbed her of fifteen shillings, in her walk from Slough to Eton; upon which Silver was apprehended, and upon his examination before the Justice, she prevaricated so much, that the Justice dismissed the charge, and set the man at liberty.—Previous to this transaction, Jane Gibbs offered herself to several people as a servant, but in a short time she was recognized, and soon after driven out of the town.

She was afterwards committed to the New Compter, but being pronounced insane, was removed from thence, by an order from the Lord Mayor, to Bedlam. She was accompanied by a relation, and seemed perfectly sensible where she was going, wept very much, and persisted she was not deranged. She is tall, bony, thin visaged,  
and



SYLVESTER SMITH, &c.—*for Robbery.* 593

and masculine: her face is somewhat marked with the small-pox, and her features very coarse: she wants one or two of her front-teeth; she has a turn-up nose, and squints most horribly.

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*Interesting Particulars of SYLVESTER SMITH, THOMAS SMITH, Wm. CAMPDEN, alias DAY, JOHN BREWER, JOHN BARNER, alias FARROW, JOHN COLLEY, EDWARD DAVIS, and JOHN OSBORNE DAWSON, who were executed at Newgate, June 5, 1800.*

WEDNESDAY having been his Majesty's birth-day, the execution of these malefactors was appointed for the succeeding day, Thursday, June the 5th. They attended divine service (with two others who were also condemned to suffer at the same time, but who were respited); at the chapel of Newgate the previous Sunday, where they heard a most excellent discourse, and behaved with due decorum.

Sylvester Smith was in his 39th year. He was born of those wandering mendicants, commonly denominated gypsies. He was an old offender; notwithstanding there were living proofs of his possessing a heart feeling for the woes of others, and, as far as his extravagance left him the means, a hand ready to relieve them. His real name was Plunket, and his father was executed a few years before at Kennington Common.

Thomas Smith was also of the gypsy tribe, and in his 27th year. They had long been asso-



ciates in wickedness. They were both tried and convicted on the clearest evidence of robbing Joseph Levien, on the highway, and taking from his person a gold watch, value 20l. a gold watch-chain, value 2l. a gold watch-key, value 5s. a silk purse, value 6d. and 5 guineas and 6 shillings in money. They had been frequently examined at Bow-street on various charges.

Wm. Campden, alias Day, was born in Suffex, of creditable parents. He was in his 32d year, and bred a carpenter, but following evil courses, he was tried and convicted on clear evidence of robbing W. Gurney, servant to J. Wagstead, Esq. near Enfield, on the highway.

John Brewer was in his 25th year, and born in the neighbourhood of Whitechapel. He had been one of the most noted offenders of the day, and connected with most of the gangs of housebreakers in the metropolis. He was about eight years ago tried and convicted at the Old Bailey, and had not long returned from transportation.

John Barner, alias Farrow, was in his 23d year.—John Colley, aged 20, was born in the neighbourhood of Holborn. They had been all old and wicked offenders, and were convicted of different burglaries. The crime for which they suffered, was breaking into the dwelling house of H. Robinson, in Burr-street, Aldgate, and stealing a quantity of linen. The principal witness against them, was an accomplice, one Robus, (who had before convicted Colley).

Edward Davis, aged 23, was a native of North Britain. Soon after his coming to London, he gave himself up to the company of lewd women, and, as too often the case, soon got acquainted with an infamous set of housebreakers, and be-  
came

came one of their most active members. He was convicted of a burglary in the house of Jessica Davis, on the Hampstead road.

John Osborne Dawson, the last unfortunate malefactor, was only in his 23d year. He was brought to an untimely end for forging a bill of exchange, for 650*l.* and uttering the same knowing it to have been forged, purporting it to have been accepted by Messrs. Parkinson, Reed, and Bell, with intent to defraud George Fuller, Richard Fuller, and John Vaughan.

Dawson was a very genteel man, and of a most respectable family. He possessed 600*l.* a year, and was heir, besides, to a considerable property. At the time of his execution he was dressed in a new suit of mourning. He was brought to his unhappy situation by a too great partiality for an extravagant female, and the destructive vice of gambling.

About eight o'clock these unfortunate men ascended the fatal scaffold, attended by a clergyman. As soon as the executioner had fixed the ropes, the clergyman took his leave; about half past eight the fatal signal was given, and they were all launched into eternity.

Dawson did not betray that concern at his last moments which was expected from a person of his education. The rest behaved in a very penitent manner.

The concourse of people assembled on this occasion was very great. The shameful end of so many men in the prime of life, was, indeed, a shocking proof of the depravity of the times!

*Particulars of the remarkable Trial of THOMAS JAMES HAWKINS, alias HENRY HAWKINS, and EDWARD UNDERWOOD, for obtaining Goods and Money, of MARY MARNER, under False Pretences, 1800.*

MARY MARNER, the prosecutrix, deposed that she lived at No. 2, Ranelagh-walk, Chelsea, where she had kept a house upwards of seven years, ever since her husband left her: the furniture was her own.

On the 21st of January last, as she was walking through Great George-street, Westminster, she was accosted by the prisoner Hawkins; she could not recollect what he first said to her, but believed it was something about the weather, such as, "this is a fine day." He walked with her, and held her in conversation on some trifling subjects; as she was in haste she wanted to get rid of him; she could not recollect what led to it, but she told him she was going on business to a gentleman's in Tufton-street, Westminster; he said he would accompany her, as her manners and conversation were so engaging; she still wanted to get rid of him; he wanted her to come through Westminster College, where he said he was educated, and where he would shew her his name in letters of gold; she refused to go that way. Having transacted her business in Tufton-street, he waited for her till she came out, and renewed the conversation; he began to profess a great attachment to her, as he said she resembled a lady that he once passionately admired. She told him that she had to call in Oxford-road, and that she wished to go through Parliament-street; he said no, for if I am seen with you by the officers, who are my acquaintances,

quaintances, as I have a brother in the guards, they'll *quiz* me; in consequence of which he persuaded her to turn down Great George-street. As they walked along he told her that he was the son of General Hawkins, that his father lived in Spring-gardens, and that his uncle, Sir Cæsar Hawkins, lived in Sackville-street; that he had been a little gay, but that he had 500l. a year, independent of his father, on whose death he was heir to a considerable property. He also added, that he had expectations from an uncle in the East Indies, a General, who was at the taking of Seringapatam, and whose wife in this country was allowed 5000l. a year. He amused her with these stories, the truth of which she did not suspect till they came to Saville-row, where he proposed to meet her the next day (Wednesday) in Spring-gardens, near his father's house; she said she was invited to a wedding the next day, so that of course she could not meet him; he then named Thursday (the day after) about one o'clock, to which she consented; he then told her that his father lived at No. 14, in Spring-gardens, (which it seems is the house in which Mr. Drummond lives) and that he should be looking out of the window at that hour. He wished, however, to have some pledge that she would not disappoint him, as he would be quite impatient till he saw her again; he desired her to give him any thing that she set a value on: she pulled off her glove to give him, but as the day was cold, he said he would not deprive her of it; she had two rings, the one of little value, and the other of more: she gave him the one of little value: he desired to look at the other, and then put it in his pocket, and refused



to return it, saying, "that ladies had sometimes given him rings, nay, even pictures of more value, and did not afterwards keep their appointments." He also took a fancy to her ear-rings, and said, that his sister had exactly such a pair. She said he was dressed *slovenly genteel*, just as he was at the time in the bar, in black, with boots.

On Thursday, as she promised, she passed by the house, which he called his father's, in Spring Gardens, looked up at the window, but saw no one. He met her in the street, and apologized for not looking out at the window as he had promised, as he was closely watched by his father, in consequence of an attachment to a lady some-time since; so that he was obliged to act with prudence for a while, but that in a short time every thing would be as it ought to be: a gentleman knocked at No. 14, at the time they were talking, "that is my brother, said he," he has an estate at Hampstead, and he was sure if she would come with him to his father's house, in the absence of the general, that his brother would be very glad to see her, as he was a very polite well-bred gentleman, adding, that his sister lived at her uncle's Sir Cæsar Hawkins, in Sackville-street. As they walked along, he said in order to be a little more at liberty, he had taken chambers in Clifford's-inn, for which he had paid 400l. and that he asked her if she would accompany him, and see them, as his servant was waiting for him; she consented, and on the way he made great professions of attachment to her, and told her, as he said he wished to be candid at once, that he would settle 500l. a year on her, and in addition to that, he would do something handsome for her, on the death of his father; as all this came with the  
greatest

greatest appearance of sincerity, she told him that it was a very tempting offer, but that was more than he could spare; to which he answered, never mind that, you don't know my expectations; I have been extravagant, but that's all over. In short she consented to live with him; the chambers were on a second floor in Clifford's-inn, No. 14; he remarked how extraordinary it was, that his chambers and father's house should be the same number. She thought the chambers looked very shabby, and yet it did not raise any suspicion in her mind, that he was not what he represented himself to be. He let himself in with a key, and declared he was very much surprized that his servant should be out of the way, as he desired him to stay till he returned. She saw a hat in the window-seat, which she supposed belonged to the servant. He insisted that she should stay dinner, as he expected some company; she consented; he renewed the subject of his circumstances, and told her that he had 1000*l.* in the Bank. She saw no company, nor even the servant. She pressed him to return her rings, as he could not say she had forfeited them; he said he had forgot them among some trinkets at his father's, but that he would certainly give them to her the next day. Underwood the prisoner dined with them. Hawkins in the absence of Underwood, said, that he was the son of Doctor Underwood, of Broad-street, that he had procured him a commission in the army, and hinted as much as that he was a dependent. He asked if she had any silver, on which she pulled out her purse, which contained a guinea and four shillings; he put the money in his pocket, and threw the purse in the fire, saying, that it was a shabby one.

She was anxious as the night approached, to return to her house; a coach was called; he handed her in, and then took his seat beside her, and began to flatter her, by saying, what pleasure he promised himself, in the company of such a woman, and that he had now found what he had been so long in pursuit of. The coachman refused to drive further than Hyde-Park corner, and as the night was wet, he accompanied her home on foot; after supper he put several questions in an indirect manner, as to her furniture, and seemed to be very well pleased when he found they were her own. She shewed him a miniature picture set in pearls, and two watches, one of which was gold, with some other trinkets, which seemed to give him a great deal of pleasure.

The next morning after breakfast, he wrote a draft for eight pounds, in consideration of the trouble which he had given, but on reflection, he said it was too trifling a sum to trouble his banker with, and took it up and put it in his pocket. He then persuaded her to pack up the best articles of her furniture, and to deposit them in his chambers, as he said they would then be at hand, and perhaps, that it would amuse her to look over them occasionally; which, after some persuasion, she agreed to do, and he assisted in packing them, and seemed very particular that the watches, and the rest of the trinkets should be put up. He asked her what the miniature picture cost? she answered ten guineas; he said he was very intimate with the gentleman that sat for it; he then assisted to put the boxes in a coach, and desired the coachman to drive to Clifford's-inn. In passing through Parliament-street, he happened to see a fine coach, which he said was his father's;  
on

on which he threw himself back in the coach, that he might not be seen; he nodded in the way to several persons of fashion, as if he was familiar with them. When they came to the chambers, the boxes were put in the sitting room. Soon after they arrived, Underwood entered, Hawkins desired the prosecutrix to open her box, and to shew Underwood the miniature picture, as he said he was well acquainted with the original as he was; that they had both known him for a long time. She did so; Hawkins wished that she would hang it up, to ornament the room, as he expected every day to lay in furniture, but was prevented by one thing or another. He then began to talk of a journey to Scotland, and of a fine castle in that country; he did not know how soon he would be obliged to set out on that journey; he talked very much of the pleasures they would enjoy when they came to the castle, which really made her impatient for the day; she believed he took notice of this, for he immediately began to say, that she should rid herself of all incumbrances, and that he thought the best way would be, to dispose of her furniture, as otherwise, she would not be at ease in her mind, but still thinking of them; besides, it was uncertain when they would return, as he had many friends in Scotland; so that their time would be very agreeably spent in paying and receiving visits; she said she would take some time to consider of it; he answered, that perhaps it might be too late, as he did not know the moment he should be called on to set out, and that he would not break his word for the world. She asked him to return the miniature picture, as she had a great value for it, but he would not; began to quarrel with her,



and threatened to throw it in the fire, to prevent which she desisted, expecting to recover it when he returned to his temper. She complained of his behaviour to Underwood, who said, "Hawkins is sometimes an odd kind of fellow, and sometimes petulant in his temper, but he is a man of honour, family, and fortune; he will return it to you bye and bye, depend on it; you will have no reason to repent of any thing that he has taken, or any thing that you have done or may do."

When she asked him for her gold watch with a ribbon and seals, he said he should keep it as a further security. He told her, if she would consent to sell her furniture, he would give her, as a security, the lease of his chambers, which cost 400*l.* she told him, that she could not stay at his chambers that night, as she was obliged to return home; he said he could not be seen in her house again, as it might come to his father's ears. They went to an exhibition in the Strand, and from thence she went home. In the course of the day, he told her again, that he was the son of General Hawkins, and she had not the least doubt but he was.

The next day, (Saturday) she returned to the chambers, where she saw Underwood in a blue coat, and a red collar. Hawkins told her, that he was an officer in the Surrey Fencibles: Hawkins renewed the conversation about the sale of her goods, and in a more pressing manner than before; she said they cost her a great deal of money; he answered, what did it signify if they did? in a short time he would think very little of money; that was not the object; all that he wanted to secure was her affections, which he was afraid he could not do effectually, as long as the furniture

was

was in question, for she would be always talking or thinking of it. He then turned the conversation to a jaunt in the country the next day, (Sunday) in Underwood's brother's curricie; she said she had no objection to a little airing in the country. After some time, he began again about the sale of the goods; she said she had an aunt, Mrs. West, to whom she was under every obligation, and she could not think of leaving her in distress behind her; on which Hawkins said, make yourself easy about that; my friend Underwood will take care of her. After many persuasions, she consented to sign the bill of sale, which was drawn up by Mr. Wilkinfon. This was done on Saturday night.

On Sunday morning she prepared for her jaunt to the country; when Underwood came, and told them, with great appearance of disappointment in his countenance, manner, and voice, that his brother unfortunately was engaged that day to dine with Dr. Lettsom in the country; Hawkins seemed to be very much disappointed; but, said he, I have sent to a gentleman, a very particular friend of mine, who will lend me his curricie, I am sure. In a few minutes after, the groom, (or, as they called him, the groom,) came and said, that he was very sorry that his master had drove out that morning in his curricie. Hawkins paused for some time, and said, "we must not be disappointed of our jaunt at any rate; I'll send to a person who will furnish us with one; accordingly, Underwood was dispatched with this message. They all walked to Blackfriar's-bridge, where they found a one-horse buggy, which she refused to go in, they returned to the chambers; she was very much disappointed indeed. As Hawkins

saw

saw that her spirits were low, he told her not to be cast down! that the next morning they would go to the Bank, and that he would sell out 9000*l.* which he had in the funds, and that henceforward every thing would be right; that she would hear his name called over by the man in the red cloak, which was done when persons of fashion only went to sell out. On Sunday night he told her, as his furniture was not come in, that he thought it would be best to write to her aunt for some articles which they wanted; at length she consented; he took up a piece of paper, and wrote a note, in her name, for a pair of sheets, to her aunt, to which he added, without her knowledge, "send all the plate." He called a porter, and sent the note by him, who returned with all the articles he had written for. When the laundress took out the sheets to put them on the bed, she followed her into the room, with a view of knowing something of Hawkins; she began by asking her if the bed was well aired; the laundress said, she believed no one had lain in it since the last lodger; Hawkins came in, and prevented any further conversation.

The next morning they went to the Bank, accompanied by Underwood, where she actually did hear the man in the red cloak call out the name of Hawkins twice, but Hawkins did not answer, as he said he did not wish to make himself too public, lest his father should hear that he was selling out stock. In a short time, he shewed her a paper, part written, and part printed, filled with the sum of 9000*l.*

On seeing this paper filled with so large a sum, all her uneasiness was removed. He asked her, if she was now satisfied? and she said yes. They  
got

got out of the coach at St. Paul's, and walked to the chambers. Mr. Postan, the Broker, came in the evening, and said he could afford to give no more for the furniture than 38*l.*; she objected to so small a sum, and said, they had cost her 140*l.* and that she would much rather have them sold by public auction, as she was not ashamed to have them sold in that manner, as she did not owe a farthing in the neighbourhood, or any place else. Hawkins said, it would take some time to dispose of them in that manner, and might end in the disappointment of their journey to Scotland, from which he had great expectations; that Mr. Postan was a man of honour, and that he, (Hawkins,) would make up the deficiency; he said many things besides, which she could not recollect, to induce her to agree to the proposal; she still persisted in declaring, that she could not think of parting with them for so small a sum: she did not see Mr. Postan till the things were sold, nor from that day to this. On Tuesday, the next day, she was told, that her furniture was sold, but she never received a farthing of the money, nor could she say who received it. She forgot to relate another circumstance: on the morning of that day, as they were preparing to set out for the Bank, Underwood came in; Hawkins asked him, if he had changed the 100*l.* bank note; he replied that he had not, and then produced two guineas, which she supposes he had raised at the pawnbrokers on her property. On Monday night she slept at the chambers, and the next morning was told, that Postan, the broker, called, but did not see him. On Wednesday she insisted on going to her house, which she found stripped of all the furniture; returned to the chambers



bers that evening, and slept there that night. On Thursday, she was permitted, after much altercation, to visit a friend in Covent-garden; in her absence, Hawkins took a letter out of her box, which he made the ground of a quarrel. She now began to find, when it was too late, that she was duped, and scarce slept a wink that night. She began to upbraid Hawkins with his duplicity, when he flew into a passion, and exclaimed, "What redress could a creature like her expect?" she spent that night in great uneasiness, as she did not wish to leave her boxes behind her. On Friday, Hawkins told her, that she should have part of her own furniture back again, for the use of her house; or that, if she did not like chambers, he would give her 50*l.* to take lodgings in Westminster, and if she did not think her trunks secure, that they should be lodged in the Salopian Coffee-house: he wanted her to join him in a bond of 200*l.* which she refused to do; and on the same day, she made her escape.

A seal, a miniature picture, with the setting broken, were now shewn to her, which she identified as her property.

Mr. Alley, Counsel for the prosecution, called Mr. Jones, a hair-dresser, who deposed, that in January last the prisoner Hawkins, gave him a bundle to carry to Mary Evans, somewhere near Goswell-street. He said, it contained a petticoat, gown, shawl, and one piece of whole muslin; he delivered it to Mary Evans, as he was desired. He said, he never saw Hawkins before that time in his life, to his knowledge.

Mary Cole was then called, she said, she lived in the Strand; Hawkins called at her house about the 24th of January last, with a bundle, containing  
some

some articles of wearing apparel, which he said he had got from his mother; she could not call to her memory whether he had a watch or no; but, to the best of her recollection, he had a watch.

Mr. Alley then called Mary Evans, (a genteel girl, about fifteen years of age,) who said she received a bundle from Hawkins, containing gowns, petticoats, one piece of muslin, and a shawl, in lieu, she supposed, of things which he had taken from her; which she delivered to an officer in Bow-street.

Josiah Bray, a peace officer, produced the bundle, which was then opened, and the contents shewn to the prosecutrix, who said, that the gowns, petticoats, shawls, and muslin, were her property.

Another peace officer said, that under the authority of a warrant, he searched Hawkins's chambers, in Clifford's Inn, and traced him to new lodgings in the Temple, where he found a seal, which Mrs. Marner identified as her property.

Daniel Rees, a salesman, knew Hawkins, he brought a veil to his shop to sell; offered to sell at the same time a topaz ring; did not buy either one or the other.

Mary Rees, wife of the aforesaid Rees, knew Hawkins; recollected that he had brought a veil to her husband's shop, but could not recollect the time; he said, his mother lived over the bridge, and that he had many more of the kind to dispose of. She gave him two shillings for the veil, which the prosecutrix said cost six and thirty.

Mary Delantry, the laundress, said, she recollected the lady, Mrs. Marner, very well; that the night she went to lay the sheets on the bed, the lady followed her into the room, but that Mr.

Hawkins came in immediately after her, and huffed her, the laundress, for having spoken to the lady.

Laurence Delantry deposed, that on a Sunday night, he received a note from Mr. Hawkins to go to Ranelagh Walk for some articles, and that, as he was just going, Mr. Underwood said to him, "If you are asked in Chelsea where you are to take the property to, don't tell them."

Postan, the broker, deposed, that Underwood called on him, on Monday morning, with a bill of sale, made out by Mr. Wilkinson; Underwood told him that Mr. Wilkinson recommended him to him; the witness answered, that Mr. Wilkinson was a very honest man. The valuation of the goods was made by his clerk; he said the goods were well worth 40*l.* but he would not recommend him to give more than 38*l.* He appointed to meet Underwood at the Hungerford Coffee-house, from whence they went to Clifford's Inn, where he saw the lady, (Mrs. Marner); she seemed to think 38*l.* too little, as they cost 140*l.* he (Postan) said, that was the utmost he could afford to give, as there was a great deal of difference betwixt buying and selling. She wished that they should be sold by public auction, as she thought they would bring more. He, the witness, said, she might do as she pleased, but that she would find, if she sold them by public auction, that they would be cut up by commission, and other contingent expences. Mr. Hawkins said to the lady, my dear, we can't think of selling them by public auction, as you know we are to go into the country: He did not know from any entry, from his own memory, from his clerk, or from any other means, how these goods were dis-  
posed



posed of; part of them, perhaps, was sold in the first sale.

Mr. Underwood, the son of Doctor Underwood, was now called, who deposed, that Underwood, the prisoner, was not his brother; he had seen him before, however, at a gentleman's house; how often he could not recollect.

The prisoners were now called upon for their defence; as they had no Counsel, Underwood undertook the defence of both. He then read the defence from a paper of considerable length; the substance was, that his father was a gentleman, and a scholar; that by unforeseen misfortunes, he was reduced to distress. He strove, however, under accumulated misfortunes, to give his children a good education; he (Underwood) was articled to Mr. Bolton, an eminent attorney, in 1793; he served his clerkship to the satisfaction, he was conscious, of his master, and those who were employed in the same office. As the circle of his connexion was narrow, he saw that he should have many difficulties to contend with if he should attempt to follow the profession he was bred to. In consequence of which he turned his attention to the army, as he had some very respectable acquaintances in that line. Several circumstances, however, induced him to turn his thoughts to some other mode of life, though he was promised an ensigncy at the time. . He complained very much of the manner in which his brother's character, and his own, had been misrepresented in the Newspapers; they were held out to the public in all the caricature of Bond-street Loungers, than which, there was not a character that he held in a greater degree of contempt. When first brought to Bow-street, they were stated in the public



prints to have appeared in puckered sleeves, large breeches, monstrous sized boots; when the fact was, that they wore the very same dress at the time in which the Court saw them, and he would leave it to the Court and Jury, if it resembled, in any manner, the dress of a Bond-street Lounger. He then commented, in very severe terms, on the character of the prosecutrix, the attorney, and Counsel for the prosecution, and the gentleman who, he supposed, instituted the prosecution.

Mr. Alley said, the prosecution was instituted for the ends of public justice, and not, as insinuated by the prisoner, for the mere gratification of malice or private pique.

The prisoner then called some witnesses to his character; among whom was Mr. Debourg, who being questioned by the Court, denied that the prisoners were the sons of Lieutenant General Hawkins, or nephews of Sir Cæsar Hawkins, or that they had an uncle in the East Indies, or a brother in the Guards.

The Jury having withdrawn for about ten minutes, brought in both *Guilty*. The Court immediately passed sentence on them, to be transported for the term of *Seven Years*.

The prisoners, who throughout the whole of the trial, conducted themselves with great propriety, bowed on receiving their sentence.

The frequent prostitution of talents is much to be lamented; these youths, the elder not being more than twenty, might have been useful, as well as happy members of society, had they made a proper use of their abilities.

*Particulars of the Trial of JAMES HADFIELD, for shooting at his Majesty, in Drury Lane Theatre, on Thursday, May 15th, 1800.*

THE trial of James Hadfield for high treason, came on in the Court of King's Bench, on Thursday, the 26th of June. The indictment being read, the prisoner pleaded *Not Guilty*, and the Attorney General addressed the Jury at considerable length.

Mr. Joseph Craig was the first witness examined: he is a musician, and saw Hadfield above all the rest, with a pistol in his hand, pointed at his Majesty; it was instantly fired and dropped down; he assisted at dragging the prisoner over the rails, into the music-room: Mr. Sheridan and the Duke of York came in; he said, "God bless your Royal Highness, I like you very well, you are a good fellow. This is not the worst that is brewing."

Mr. John Holroyd sat next the prisoner, spoke to him, and remarked he was a pitiable object, saw a pistol presented across his face, and immediately discharged; he assisted in securing him.

Mr. J. Parkinson, a musician, was next examined, he confirmed what the first witness had deposed, and being asked if the situation was a good one for firing at his majesty, he replied, that the prisoner could not have chosen a better.

Mr. Wright, the fourth witness, was in the first row next the orchestra; he heard the report of a pistol as his Majesty entered his box, turned round, and caught the prisoner by the collar. A young lady, who sat behind, immediately pointed to the ground, where he saw and picked up the pistol, which he produced in Court.

Miss

Miss Elizabeth Ormeston deposed, that she sat on the third row, but could not say whether it was at the first or second bow to the audience from his Majesty the pistol was fired, but immediately he threw down the pistol.

Mr. Law, one of the Counsel for the prosecution, here desired that his Royal Highness the Duke of York might be called; upon hearing which, the prisoner in a paroxysm of enthusiasm, cried out, "God bless the Duke, I love him." The Court seeing his agitation, immediately gave directions that he should be permitted to sit down; and Mr. Kirby, the keeper of Newgate, (who all the time sat next to him) told him, he had permission of the Court to sit down, which he did, and remained composed during the remainder of the trial.

The Duke of York was present at the examination; remarked at the time that he knew the prisoner, that he had been one of his orderly men. The prisoner said, "He knew his own life was forfeited; he regretted the fate of his wife only; he would be only two days longer from his wife;" said, "the worst is not come yet." His Royal Highness said, the prisoner appeared to be perfectly collected. After his Majesty had retired, his Royal Highness directed a search to be made in the king's box, where a hole was discovered, evidently made by the impression of a shot, fourteen inches from his Majesty's head. It had perforated the pillar. In searching below some flugs were found; by the smell they had been recently fired off; there was a smell of powder about them. Mr. Erskine asked his Royal Highness, if the most loyal and brave men were not usually selected to be the orderly men? his Royal Highness

nefs answered, that the most tried and trusty men were appointed as orderly men. When the prisoner was asked what could induce him to commit so atrocious an act, he said, he was tired of life, and thought he should have been killed.

The evidence for the prosecution being closed, Mr. Erskine addressed the Jury at considerable length.

Major Ryan of the 15th Light Dragoons, in which the prisoner was a private, Hercules M'Gill, private in the same regiment, and John Lane, of the Guards all knew the prisoner, and deposed to different acts of his insanity.

Mr Cline, surgeon; Dr. Crichton, physician; and Dr. Letherne, surgeon to the 15th regiment, as professional gentlemen, gave testimony to their belief of the prisoner's insanity.

Captain Wilson, and Chris. Lawton, of the 15th Light Dragoons; David Hadfield, brother to the prisoner; Mary Gore, sister in law to the prisoner; Catharine Harrison, and Elizabeth Roberts, detailed different acts of insanity, particularly on the day previous to, and on which he committed the crime for which he stood indicted.

The prisoner was then pronounced *Not Guilty*, on the plea of insanity, but ordered to continue in custody.

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*Interesting Particulars of the unfortunate SARAH LLOYD, indicted for a Burglarious Robbery, in the dwelling house of her Mistress, Mrs. SYER, convicted of Larceny at BURY ASSIZES; with the occasional Letters of Mr. CAPELLOFT, relative to her Case, Execution, &c.*

SARAH LLOYD was accused of having introduced a man into the house of her mistress, who



who robbed and afterwards set it on fire. This unhappy woman's case occupied much attention; for being generally considered as the instrument made use of by a designing villain, and having a most excellent character, it excited a very strong interest in the neighbourhood. Being convicted of *larceny* only to the *value of forty shillings* at Bury Affizes, April, 1800, and condemned—she was left for execution. A petition was immediately signed, most respectably and numerously, for her respite and pardon; but the Duke of Portland deeming the application to arise from ill-judged humanity, sent down a king's messenger to order her execution. Among the persons who interested themselves the most on this occasion was that very respectable magistrate Mr. Capel Loft, whose letters, relative to her case, execution, &c. (addressed to the Editor of the Monthly Magazine) which certainly do honour to the writer's heart, we shall here copy for the satisfaction of our readers—

“ Sir,

“ Give me leave to caution you against an implicit credit in the accounts published in most of the papers, respecting the case of the unhappy Sarah Lloyd.

“ Thus much only I will say at present—a most extraordinary and a most affecting case it is. I have never heard of one more so—I have never known one in any degree so much so.

“ I was on the Grand Jury which found the two bills of indictment. I was in court at the trial. I am happy (yet perhaps I ought not to say so) that I was not in court when sentence of death was pronounced upon her. I have visited her several times, since she has been in prison,  
with

with several respectable persons, and particularly with a lady of very superior understanding; and, who struck with her mild and ingenuous countenance, the modesty, unhesitating clearness, simplicity and ingenuous character of all she says; her meek and constant fortitude, and her modest resignation, has interested herself greatly in behalf of this young and most singularly unhappy woman. She was indicted for a burglarious robbery, in the dwelling house of her mistress. She was convicted of *LARCENY ALONE to the value of forty shillings*. And under what circumstances it will be proper to state more fully hereafter. The Jury *acquitted* her of the *burglarious* part of the charge and thereby *negatived* any *pre-vicious* knowledge on her part of a felonious intent of any person. The other indictment for *malicious housefiring* was not even tried. Unhappily perhaps for her that it was not. It seems but too certain that she will suffer *Death* on Wednesday next; and from any thing I can yet learn, I should fear a numerous and respectably signed petition will not even find its way to the king while she yet lives.

“ I write only thus much at present; that if you state the supposed facts which have been so widely diffused against her and have made so dreadful an impression, you may also state these remarks; which have for their object merely that the public would suspend their judgment till a full and correct statement be laid before them, as it necessarily must; and that in the mean time at least the public will not conclude her guilty of more than of that of which solely she stands *convicted* and attaint on the record—the *larceny only*. And as to the nature and degree of her guilt, even upon that, they will estimate it according to the circumstances, when fully before them. Then

perhaps they will have no cause to wonder that efforts have been made, as they have certainly been, with most persevering anxiety, to obtain a mitigation of her sentence, so far as it affects her life: nor that the prosecutrix, the committing magistrate—the foreman and several others of the grand Jury and many persons of true respectability, have concurred in these efforts, and particularly persons in whose service she has lived, and who speak of her temper, disposition, character and conduct, in terms every way honourable, I remain, &c.

*Troston, April 21.*

CAPEL LOFFT."

In another letter this gentleman gives an account of the unhappy woman's person, execution, &c. as follows:—

"Respecting the case of Sarah Lloyd, what ought now further to be said, I wish that I felt myself capable of saying as it deserves.

"I have reason to think that she was not quite nineteen. She was rather low of stature, of a pale complexion, to which, anxiety and near seven months imprisonment had given a yellowish tint. Naturally she appears to have been fair, as when she coloured, the colour naturally diffused itself. Her countenance was very pleasing, of a meek and modest expression perfectly characteristic of a mild affectionate temper. She had large eyes and eyelids, a short and well formed nose, an open forehead, of a grand and ingenuous character, and very regular and pleasing features; her hair darkish brown, and her eyebrows rather darker than her hair; she had an uncommon and unaffected sweetness in her voice and manner. She seemed to be above impatience or discontent, fear or ostentation, exempt from selfish emotion, but attentive with pure sympathy to those whom her state and the affecting singularity of her case and her



her uniformly admirable behaviour interested in her behalf. When asked, April 23, 1800, the morning on which she suffered, how she had slept the preceding night, she said, not well the beginning, but quite well the latter part of the night. She took an affectionate, but composed and even *cheerful* leave of her fellow prisoners and rather gave them comfort than needed to receive it.

“ It was a rainy and windy morning. She accepted of and held over her head an umbrella, which I had brought with me, and without assistance (though her arms were confined) steadily supported it all the way from the prison, not much less than a mile. What I said at the place of execution, if it had been far better said than I was, then able to express myself under the distress I felt, would have been little in comparison of the effect of her appearance and behaviour on the whole assembly. That effect, none, who were not present, can imagine.

“ Before this I never attended an execution, but it was indeed a duty to attend this and to give the last testimony of esteem and respect to a young person, whose behaviour after her sentence (I had not seen her before, for in court she was concealed from me by the surrounding crowd) had rendered her so deserving of every possible attention.

“ Those who have been accustomed to such distressing observations remarked that the executioner, though used to his dreadful office, appeared exceedingly embarrassed and was uncommonly slow in these preparations which immediately precede the fatal moment, and which, in such a kind of death are a severe trial of the fortitude of the strongest and most exalted mind, and much the more so as they tend to destroy the sympathy re-



sulting from the associated ideas of dignity in suffering ; yet she dignified by her deportment every humiliating circumstance of this otherwise most degrading of deaths, and maintained an unaltered equanimity and recollection, herself assisting in putting back her hair and adjusting the instrument of death to her neck. There was no platform nor any thing in a common degree suitable to supply the want of one ; yet this very young and wholly uneducated woman, naturally of a very tender disposition, and from her mild and amiable temper, accustomed to be treated as their child in the families in which she had lived, and who consequently had not learned fortitude from experience either of danger or hardship (and in prison the humanity of Mr. Orridge had been parental towards her) appeared with a serenity that seemed more than human ; and when she gave the signal, there was a recollected gracefulness and sublimity in her manner that struck every heart, and is above words or idea.

“ I was so very near to her the whole time, that, near sighted as I am, I can fully depend on the certainty of my information.

“ After she had been suspended more than a minute, her hands were twice evenly and gently raised, and gradually let to fall without the least appearance of convulsive or involuntary motion, in a manner which could hardly be mistaken, when interpreted, as designed to signify content and resignation. At all events, independently of this circumstance, which was noticed by many, her whole conduct evidently shewed, from this temper of mind, a composed, and even cheerful submission to the views and will of heaven ; a modest unaffected submission entirely becoming her age, her sex, and situation.”

Here the writer referring to an account in the  
Ipswich

Ipswich paper, observes:—"The word *accomplice* is used,—whoever admits a man was concerned will see reason to regard that man as far more than an accomplice.

"I believe it were not impossible (but would indeed be nearly inevitable) for any attentive mind, weighing the circumstances of this, perhaps, unexampled case, to come to the same conclusion which has long impressed itself on mine. That conclusion leaves to her a share of the guilt, which is indeed "comparative innocence," and the VERDICT of the JURY (who I believe in that verdict thought they had saved her life) imports not a greater share.

"Yet they knew nothing of the admirable character which has been given of her by those in whose service she had longest lived, [viz. Mr. Johnson, of Bildeston, grocer and linen draper; Mr. Henry, farmer; from Midsummer 1795 to Michaelmas 1797] for the best temper, a meek, peaceable, quiet disposition; honesty, modesty, uniformly good behaviour in all respects; freedom not only from blame, but from any circumstances tending to suspicion of it. The Jury knew of her character only by her affecting appeal to Mrs. Syer, the prosecutrix herself. For she had not been sending after those who could speak to her character during her confinement, and therefore being asked, she answered, she did not know whether there was any (meaning, certainly, in Court) except it was Mrs. Syer.

"And the Jury, under the circumstances of no evidence being given against the other party indicted, had not the usual means, which, where two persons are indicted, a Jury almost constantly has, of forming some estimate of the proportion of guilt which may belong to either; nor could they even see, or perhaps under those circumstances,

stances, imagine, how peculiar her case was, even as to that for which she was convicted, infinitely the smallest part of the charge which the two indictments contained.

“ I do not, therefore, arraign the verdict of the Jury; the verdict could not be otherwise, it was just, it was discriminating, it was humanely considerate, and, I think, I say nothing which is unbecoming when I say this, that although the verdict, and the consequent sentence were according to law, *death* being the sentence under the statute of ANNE, the case was such as had a strong, and I think, almost singular plea for the extension of MERCY. The force and nature of this plea, which appeared imperfectly at the trial, and at the time of passing sentence, more and more developed itself progressively to the last. I shall ever deeply regret that it did not appear so to the Judge, and most of all, that when by the *Bill of Rights*, it is declared that it is the *right* of the subject to *petition*; that in this instance there is reason to conclude, that a *petition*, though in behalf of *life*, and numerously and most respectably signed, was, notwithstanding, never presented to the king!!! I would rather suffer any thing than have this omission to impute to myself.—I remain, &c.

*Troston, May 19.*

CAPEL LOFFT.”

Such, however, were the exaggerations of the London prints, which ascribed to this unfortunate woman ALL the crime, that we need not wonder there was no attention paid to the petition. The following is an extract of one, by which the reader will see a quite different representation from the above:

“ The circumstances attending the case of Sarah Lloyd are perhaps unequalled for the atrocious intentions of the perpetrator, who was a servant



JOHN ROBINSON, &c.—for Burglary, 721

want to a very respectable lady, residing at Hadleigh, named Syer. On the 3d of October last, she set her mistress's house on fire in four different places, and robbed her of some considerable property. Her intention was the destruction of her protectress, for, to prevent the escape of her mistress, the principal combustibles were placed under a stair-case which led to her mistress's bedroom, and, but for the timely assistance of the neighbourhood, she would have perished in the fire."—

*Times, April 11.*

The incendiary and intended murder, here asserted as FACTS of her deep ingratitude and base depravity, were neither *tried* nor *proved*—and of the burglary she was ACQUITTED, which acquittal *must* also acquit her of the other charges.

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*Execution of JOHN ROBINSON and JOHN PRICE, for Burglary, THOMAS DOUGLAS NEWMAN, for Stealing a Gelding, and THOMAS CHALFONT, of the General Post Office, for Secreting a Letter with a Bank Bill.*

THESE four malefactors were tried in September Sessions at the Old Bailey, 1800.

John Robinson and John Price were indicted for burglariously breaking and entering the dwelling-house of John Lamb, Edward Haycock, and Thomas Lamb, and stealing therefrom 348lbs. of Italian thrown silk, 92lbs. of Novia silk, 61lbs. of Frioli silk, 70lbs. of raw Bengal silk, and 19lbs. of book China silk, amounting to the value of 700l. their property.

The warehouse of the prosecutors, which is in Foster-lane, Cheapside, it appeared, was broken into about four o'clock, on the 10th of July, and a person resembling Price seen driving away from that spot a cart with a green cover, about that time; it was also proved in evidence, that a

cart



cart of that description was seen to stop at Price's door near five o'clock that morning, from which he assisted to take out some bundles, that to appearance contained something soft. To his house the officer went, and taking him into custody, found in his possession a Bank of England note for 50*l.* at the same time, and at the same place, they apprehended Robinson, in whose pockets were found several Bank notes.

The Jury pronounced both prisoners *Guilty*.

Thomas Douglas Newman was capitally convicted for stealing a brown gelding, value 12*l.* the property of George Arnold.

Thomas Chalfont was indicted upon the capital charge, for that he, being a person employed in business relating to the Post Office, did feloniously steal out of a certain letter, containing three bills, a Banbury Bank-bill, of the value of 10*l.* the property of Bernard Bedwell, John Yates, Bernard Bedwell, jun. and Philip Bedwell. This letter instead of arriving on the 18th, in due course, was not received until the 19th, and then contained but two bills, the words three in the letter being altered to two, and the thirty to twenty. The bill in the indictment (the one missing) was found to have been honored at the Banker's here, and for which a Bank of England note for 10*l.* was given; and this individual note was proved to have passed through the hands of the prisoner, who wrote his own name upon the back of it, after several other indorsements, and paid it to the Clerk of the Receiver General of the Post Office. The Jury withdrew for near an hour, and on their return pronounced him *Guilty*.

These four unfortunate persons were executed at the Old Bailey, Wednesday Nov. 11. They all appeared very penitent—Chalfont was only 17 years of age.

*The TRIAL and EXECUTION of THOMAS  
POTTER, for MURDER.*

ON Wednesday, December 10, 1800, the Admiralty Sessions was held at the Sessions-house in the Old Bailey, before Sir William Scott, the judge advocate, and Mr. Justice Rooke and Mr. Justice Graham, when Thomas Potter, William Seale, and Thomas Ventin, were indicted for the wilful murder of Humphry Glyn, on the 26th of December, 1798.

Mr. Abbot opened the proceedings on the part of the crown, when the Attorney General briefly stated the heads of the evidence he was about to submit to the jury, and called their attention to the crime of which the prisoners stood charged.

Ambrose Bowden was the first witness called, who deposed, that he was setter to an Excise cutter, stationed at Cawsand, on Wednesday, the 26th day of December, 1798, about a mile and an half from Point Penree; that between 9 and 10 o'clock at night, intelligence was brought him that some smugglers were off the Pen Point; he immediately manned the boat with four men, and went in pursuit of them; that on his coming nearly a-breast of the Point, he saw a cutter at anchor, about half a mile south-west of the Point; at this time it was clear moon light, and he could discover boats along side the cutter; on approaching nearer, the people on board hailed him, desiring to know what boat it was; witness replied, "it was a king's boat, with a revenue officer;" the people on board then desired witness to keep off, or they would fire upon them; witness replied he was a revenue officer, and they might fire if they pleased; at this time he was distant about twenty yards, standing up in the

boat, endeavouring to unfurl the revenue colours, when the crew on board the cutter commenced firing; they had fired three distinct times, when, as he was ordering the boat to be well rowed up to the wind, he perceived the oar to fall out of the hand of the second man, Glyn; he called out to him to mind what he was about, when the man who rowed the fore oar exclaimed, "Glyn is shot!" witnesses then took up a musket and fired several times at the cutter, who returned the fire very briskly; but presently cut their cable, hoisted sail, and run before the wind; witnesses continued to fire at the cutter, who returned it over the stern of the vessel, and some of the shot struck the stern quarter of the boat. Witnesses being unable to pursue, took up the buoy the cutter had left behind; after which he returned round the Pen Point, and went on board the Stag frigate, requesting the surgeon to come on board his boat; surgeon and mate instantly complied, but found the man quite dead, the fore part of his skull being entirely shot away.

On cross-examination, he said, the Coroner's Inquest had set on the deceased, and brought in their verdict *manslaughter*. In answer to some questions the judge put to him, he said, he had counted three distinct fires, 1, 2, 3, but it was possible one man might have fired all three discharges.

Roger Toms deposed, that he was a mariner on board the Lottery cutter on the 26th of December, 1798, off Penree Point, coming from Guernsey; that Potter, Searle, and Ventin, were part of the crew, that their cargo consisted of spirits. They had that night sent several boats to Cawland, and he believed one boat was alongside, before he went below. On going between  
decks,

decks, he heard some voices above cry out, "keep off!" and afterwards heard repeated, "It is a king's boat!"—A firing then took place on board the Lottery, and presently orders were given to cut the cable, and they run before the wind, and arrived at port Perrow, in Cornwall, before twelve o'clock. A conversation then took place between Potter, Oliver (the master,) Searle, and Swanting. Oliver said, he should be sorry if any harm had taken place by their firing; Potter observed, "he had taken good level when he fired his musket at the boat, and was sure he saw a man drop." Witness said, Ventin was cook at the time the affair took place, and was ordered below into the cabin by Oliver, to make the pokers red hot, with a view of firing off the swivels if it should be found necessary. He also stated, that when the above conversation took place he was walking on the deck, and could hear what was said, though he was hard of hearing; that the buoy produced belonged to the Lottery cutter; that afterwards, in coming from Guernsey, the Lottery was taken by captain Bray, and that himself, Searle, and Ventin were on board.

On cross-examination, he said, he had not, though he was very much shocked at Potter's declaration, given notice to any magistrate for six months afterwards; that he had heard the conversation very well though he was *deaf*; and that to escape prosecution himself, he had been induced to come forward against the prisoners.

Captain Gabriel Bray deposed, that he was commander of the Hynd cutter, and had captured the Lottery. On taking possession of her, he found on board Toms, Ventin, and Searle, who, with others, he put in irons, and that having



since prosecuted them, they had been sentenced to two years on board the Hulks.

William Croker said, he was a deputed mariner on board the Hynd; that he knew the Lottery cutter before she was taken, and that he had seen her in Port Perrow on the 27th of December, 1798.

The evidence for the prosecution being closed, the prisoners were severally called on for their defence, who asserted their innocence of the murder laid to their charge.

The counsel for the prisoners then called Henry Rowe, William Hooking, and Charles Guy, all Cornish men, who deposed that they knew Toms, that he had the reputation of being a thief and a liar, and that they would not believe him, though he should speak upon his oath.

Mr. Justice Rooke summed up the evidence, and told the jury, that the law made no distinction between the person who actually fired, and those who aided and abetted; they all were considered as guilty of murder, even to the last man on board the cutter, provided he could not prove his innocence by shewing his aversion to the resistance. Yet it was not meant to be inferred that the law was to be prosecuted to the utmost rigour; and that if the jury saw any distinction in the criminality of the prisoners, they would point it out by their verdict.

The jury retired for near an hour, when they returned a verdict of *Guilty* against Potter; and acquitted Searle and Ventin.

Sir William Scott then proceeded to pass sentence to the following effect:

“ Thomas Potter, you have been indicted for the wilful murder of Humphry Glyn on the high seas;

seas; you have been tried before God and your country—that country has pronounced you guilty; and the sentence of the law awaits you. It is with regret I see a fellow creature reduced to the melancholy situation in which you now stand—a situation you have brought upon yourself by the unlawful and criminal undertaking you engaged in, that of taking to yourself an unjust advantage above the rest of your fellow subjects. It has long been ascertained, that guilt is at all times progressive, and from fraud you have proceeded to the shedding of innocent blood; it is to be hoped, however, from your example, that your associates will learn, that when once a man has embarked in crime, he is seldom able to stop till disgrace and infamy overtakes him; the only way, therefore, to avoid the dreadful fate that awaits the commission of crime is to continue in perfect innocence, as the slightest deviation may lead to the most confirmed atrocity. You have but a short time to continue in this world, before your forfeit life will be required of you; I conjure you to apply that time to those purposes best suited to your unhappy state, and by an ardent and sincere appeal to that God, before whom you are shortly to appear, to implore of him that mercy in another world, your crimes have deprived you of in this! it is now my duty to adjudge that you be carried to the place from whence you came, and from thence you be conveyed, on Friday next, to the place of execution, there to be hanged till you are dead, and that your body be given to be anatomized. Prisoner, the Lord have mercy upon your soul.”

On account of the tide not permitting his execution on Friday, he was respited until Thursday following, on which day, (December 18,) he

suffered

suffered at Execution Dock. He met his fate with becoming resignation and sincere contrition.

Thus, as the learned judge observed, one crime leads to another—the *Smuggler* became a MURDERER! Vice seldom ceases till Justice stops its career.

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*The LIVES, BEHAVIOUR, and EXECUTION of ROBERT CLASSON, THOMAS WILLIAMS, AND HENRY NEROD WILLIAMS, Three Unfortunate Malefactors, who were Executed opposite the Debtors Door, NEWGATE, December 11, 1800.*

IN November sessions, at the Old Bailey, Robert Classon was convicted of a burglary, and Thomas Williams, and Henry Nerod Williams (brothers) of a highway robbery, and were ordered for execution on Thursday, December 11, 1800.

Robert Classon, aged 25, was born in the neighbourhood of Shoreditch, and at the age of about 14 was put apprentice to a mechanical business. Being of an unsettled disposition, he unfortunately took to an idle course of life, to support which, he had recourse to bad practices, became connected with a desperate gang of house breakers, and was guilty of several robberies.

He was brought to an untimely end for committing a burglary in the dwelling house of Mr. T. Monkhouse, taylor, in Jermyn street, in the night of the 23d of October, 1800, and stealing thereout, two silver tea spoons, value three shillings.

The robbers were disturbed by the watchman about three o'clock; they got from the house, but

but were afterwards taken; the account of which, as related on the trial, by William Wilfon, was as follows:

“ I am one of the patrols belonging to St. James’s parish; I saw the prisoner and two men lurking about Piccadilly at three o’clock in the morning; I knew nothing of him before; we reported it at the watch-house, that there were three ill-disposed persons lurking about; upon hearing that Mr. Monkhouse’s house was broke open, I suspected these three men, and they directly ran away; I pursued them, and in Coventry street, I saw the prisoner throw away two spoons behind him; I pursued till he was taken; John Murphy, a watchman, took up the spoons, and either him, or his companions, threw away a dark lanthorn, and a wrenching crow steel bar.”

Thomas Williams, whose real name was Stebbing, aged 32, was born in Bethnal-Green, of creditable parents, and served his time to a mechanical business, whereby he might have earned a comfortable livelihood, had not extravagance and dissipation induced him to commit divers offences against the laws of his country.

Henry Nerod Williams, aged 23, brother to Thomas, served his time to a watch movement maker—like his brother, he assumed a variety of names. They were brought to an untimely end by committing a most daring highway robbery in the noon-day, on Michael Hodgson, Esq.—The account of which transaction was thus related on the trial by the prosecutor:

“ I was riding up Maiden-lane, which leads from the turnpike road, at the end of Gray’s-inn-lane, to Highgate, on the 15th of October; when I nearly reached the top of the lane, about 12 o’clock at noon, I observed two men, on foot  
coming



coming towards me. Thomas was coming first, and the other followed about fourteen or fifteen yards distance; when he came within ten yards of me, he drew a pistol; he mended his pace, and laid hold of my horse's bridle with one hand, and put a pistol to my breast with the other; the other prisoner, Henry, immediately came up, and clapped another pistol, cocked, to my breast; Thomas, the elder, (who was the most active,) demanded my money, which I gave to them; he then demanded my watch, which I also gave; he asked for my pocket-book, I told them I had none; they searched me, but not finding any; they took a pair of spectacles out of my waistcoat pocket, and then let me go; my horse's head being towards Highgate, and they going the reverse way, towards London; but before they had got twenty yards from me, they broke into the fields, on that side of the lane, next Holloway; immediately as I observed this, a gentleman's servant came riding very hard; with some difficulty I stopped him, and persuaded him to help me; we leaped our horses over into the fields after them; I pointed out the two men to him a little before us; I then halloed "stop thief;" upon hearing my voice, they turned round and began to run; the young man on horseback, and I, pursued them, but we did not get up to them till they got over another hedge, in that field we got quite up to them; I told them they had robbed me, and bid them surrender; they drew their pistols, and pointed them at me, and bid me keep off, or they would shoot me; I told them, I did not regard their threats, they might depend upon it I would never leave them till I had taken them; they then broke away into an adjoining field, and we still followed; then they

run

run and got into the third field, and there we got the assistance of some men that were making of hay; we kept on pursuing them, and at the end of the third field they were pressed so close, that they fired a pistol, I was a very little way off, and they were in the hedge, but which fired it I do not know; after this pistol was fired, I saw clearly that they were desperate men, and that there would be no taking them without fire arms; I desired the people round to go to Holloway, or some place near, and procure some fire arms; with the help of the men that had come up to us, we kept them at bay for some time backwards and forwards, in different parts of the field, and as often as I pressed upon them, they levelled their pistols at me; they then crossed the lane into the fields leading to Kentish-town; at last there appeared a man at the top of the hill, with a gun; I cried out loudly, here is a gun, give it me, and I will blow their heads off; upon their seeing the gun, they laid down three pistols, and surrendered themselves."

The following was the testimony of James White, the gentleman's servant, mentioned above:

"I was riding down Maiden-lane, towards Battle-bridge, I met Mr. Hodgson, he told me he had that moment been robbed by two thieves; he turned back, and we went in pursuit of them. I immediately saw two men going across under the hedge, and asked him if those were the men; the one had a black and the other a brown coat on; I leaped my horse over the hedge, and halloed, 'stop thief!' upon which Mr. Hodgson followed me, and they began to run; they had their hands in their pockets in this way, (*describing it.*) to hold the weight of the pistols up; they ran across the field, and after that field they

had to cross a little lane ; I leaped the horse over the hedge, and then I was in the same field that they were again ; then they presented each a brace of pistols, one in each hand."

*Mr. Hodgson.* " He is certainly right in correcting that they had two brace of pistols."

*White.* " They asked me if they had hurt me ? I told them, ' no, they had not ; ' I said, ' I know that very well, but you have robbed that gentleman of his watch and money ; ' they told me if I did not leave them they would shoot me ; I told them they might depend upon it I would follow them, and if they did shoot me they could not shoot that gentleman ; in going over the third field hedge one of them fired a pistol, but which way the pistol was directed I cannot say, for I was paying attention to my horse leaping the hedge ; in the next field there were some farming men came up and surrounded them ; they threatened that the first man that touched them they would shoot him ; they swore they would not suffer themselves to be taken ; they got out of that field into another ; they were crossing a little narrow lane, upon which one of them that was going up the furthestmost hedge from me, fired another pistol, but I did not see the direction of it ; a little time after that they surrendered themselves, and put down their pistols ; they were secured, and we took them to Bow-street."

On the Sunday preceding their execution, they attended chapel, where they heard a suitable sermon, and manifested sincere repentance. On Thursday morning, about eight o'clock, they ascended the fatal platform, attended by the Ordinary and the usual officers. They appeared very penitent, and met their fate in a becoming manner.

As soon as the executioner had fixed the ropes, the clergyman took his leave; the fatal signal was then given, and they were launched into eternity.

Though vice loves darkness, yet in due time it becomes so hardened, as even to defy broad day; and thus it is, that wickedness is at length brought to shame: the ungodly may flourish awhile, as the psalmist observes, but so slippery are their ways, that they must fall!

PARTICULARS of JOHN FISHER, *who was*  
Executed *opposite the Debtors door*, NEWGATE,  
January 21, 1801.

JOHN FISHER having been convicted in December Sessions, 1800, of feloniously stealing 800 pounds weight of sugar from the Dundee wharf, Wapping, was ordered for execution on Wednesday, January 21, 1801.

The robbery for which he suffered was of the most atrocious nature, and was singular in its progress and discovery. The particulars of which, were as follow, as related by J. I. Bardett, an apprentice to Daniel Grant, a grocer, in Little Hermitage street, Wapping, whose master, (Grant,) was also tried and convicted at the same time, for receiving the sugar, knowing it to be stolen, and ordered to be transported for 14 years:

“About a fortnight before the sugar was brought, Green, who has since absconded, came down, and asked Mr. Grant what he would give for some sugar? Mr. or Mrs. Grant, I cannot say which, but Mr. Grant was by, desired me to get a scoop full of sugar, and he shewed it to Green, and said, is it as good as this? he said,



yes, better; Mrs. Grant then said to Mr. Grant, we can give sixpence for it; Mr. Grant then said to Green, yes, we can give sixpence for it; Green said, very well, was that the most? he said he was in expectation of getting some, and then he would pay the money he owed in the book: On the 16th of September, I saw Green again, about seven o'clock in the evening; he came in, and told me, you will have the sugar this evening; Mr. Grant was in the parlour, and I went and told him what Green had said; he then went away; Mr. Grant then said to Mrs. Grant, he hoped it was safe; she said, she dare say it was."

"About ten o'clock, Fisher brought a quantity in a bag, and went backwards and forwards eight or nine times, bringing the bag full each time, the other men did not bring any sugar, till the last time, then Green, Fisher, and two other men came together. These different turns occupied some hours, till near one o'clock in the morning. Grant then paid them thirteen pounds deducting four shillings, which they gave to the watchman."

Fortunately for the ends of public justice, the bag in which the sugar was carried had a hole in it, which run out the sugar, by which means a track was discovered next morning, from the Dundee Wharf to Grant's house, a distance of near three hundred yards.

This unfortunate malefactor was in the 23d year of his age, and born of creditable parents in the parish of Stepney, who bestowed upon him as good an education as in their power.

Most of his time was spent in working among the ships in the river Thames, in different situa-  
tions,

tions, in which he for some years maintained an unimpeached character.

Unfortunately for himself he latterly became connected with loose company, which led him to extravagances he was not able to support by honest means, and consequently induced him to listen to promises and large profits of unlawful gains, which his then wicked and abandoned companions held out to him.

The Sunday preceding his execution he attended in the chapel, Newgate, to hear the condemned sermon, and behaved in a manner becoming his unhappy situation.

On Wednesday morning about eight o'clock, he ascended the fatal platform, attended by the Ordinary, &c. He appeared very penitent, and met his fate in a becoming manner.

As soon as the executioner had fixed the rope, the clergyman took his leave; the fatal signal was then given, and he was launched into Eternity.

The company of the wicked will infect even the good; their principles, destructive of all religion and morality, corrupt the most promising soil, and overrun it with the seeds of vice—it is thus the fruits of virtue are prevented, and youth, which might have flourished, is withered by an untimely blast, and falls neglected and despised!

INTERESTING PARTICULARS *of* DANIEL BROOM, *and* JAMES MASSEY, *who were Executed for WILFUL MURDER.*

DANIEL BROOM was capitally convicted at Wilts, 1801, for the wilful murder of Mary Broom, at Church Yatton. It appeared on his trial that the deceased was the wife of his brother, with

with whom he lodged and boarded; and in whose absence, apparently without provocation, he had knocked the poor woman down with a hatchet, and cleaved her head asunder. He was hanged on Friday, March 20, in front of Fisherton goal: he confessed that he had no other inducement to the murder, but that he thought the deceased a bad wife, and therefore determined to kill her, that he and his brother might live comfortable together!—His body was delivered to the surgeons, but he was so diseased a subject, that little observations could be made on him.

On Saturday, March 21, at the Lancaster Assizes, James Massey was convicted of the murder of his wife—the principal evidence against him was his daughter-in-law, a little girl about ten years of age, who was in company with the mother at the time the violence was committed, and very narrowly escaped, he having attempted to throw her into the mill-dam. She very minutely detailed the brutality of his conduct, which was fully corroborated by the testimony of the surgeon.

This unhappy wretch who was executed Monday, March 20, pursuant to his sentence, was at first ordered for dissection, but having petitioned the Judge to be buried between his two wives—(to both of whom it is said he behaved with great cruelty,) his Lordship ordered him to be hung in chains, as near the place where the murder was committed, as might be convenient; and he was accordingly suspended on Congeston Heath. At the place of execution he confessed his offence, which proceeded from the violence of passion, as he professed to love the deceased with tenderness.

Woman was given to man as a blessing, and man consequently decreed her guardian and protector;

rector; therefore that wretch who, instead of extending his arm to defend, raises it to destroy—who degrades his manhood by meanly combating the weak, and abuses his authority by wantonly triumphing over those who are under his care—leaves the world not only as an execrated murderer, but as a despised COWARD!

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*The PARENTAGE, DEPREDACTIONS, and EXECUTION of RICHARD SHEPHERD, alias HURST, JAMES SEAMONS, RICHARD MORLEY, alias SMITH, and PATRICK SUMMERS, All daring Highwaymen, who suffered at SHOOTER'S HILL, March 25, 1801.*

AT the Lent assizes, held at Maidstone, on Monday, March 16, and the ensuing days, the following prisoners, Richard Morley, *alias* Smith, aged 19, James Seamons, aged 23, and Richard Shepherd, *alias* Hurst, aged 22, were convicted of feloniously assaulting John Wood, and Benjamin Fuller Stow, on the king's highway, in Charlton, on the 13th of December last, demanding their money, putting them in bodily fear, and robbing the said John Wood of one leathern bag, three or four guineas in gold, eight or ten shillings in silver, one silver watch, with silver seal and silk chain, one pocket book, one 20l. and two 2l. Bank of England notes, a 1l. Feversham bank note, one 6-livre piece, and one 15-sous piece, his property—and the said Benjamin Fuller Stow of one gold watch, with a gold chain and two gold seals, one pocket book, one 10l. Dover bank note, and about three guineas in gold and silver, his property.

This



This daring robbery was perpetrated between nine and ten in the morning, near the eight mile stone, between Shooter's-hill and Welling. Fortunately for the public safety, they were observed, pursued, and taken. The particulars of their apprehension are somewhat singular, and are as follow :

They had just done plundering the gentlemen, as Mr. Taylor, of Crayford, on horseback, came within sight, and the robbers making off across a field, Mr. Taylor suspected what had happened ; he went to the chaise, and the gentlemen informed him of the robbery, and another gentleman on horseback coming up, they agreed to go in pursuit of the robbers, and soon came within sight of them ; the robbers were running, and the horsemen pursued them till they saw them go into Hanging Wood, near Charlton. Supposing they had some place to hide themselves, or that they should not succeed in securing three men, Mr. Taylor rode off with all possible speed to Woolwich, and gave the alarm at the barracks, when the officers, with an alacrity highly commendable, ordered about fifty men belonging to the train of artillery to join in the pursuit. A number of these surrounded, and the others went into the wood, headed by Mr. Taylor, and the other gentleman on horseback. After a long search, passing a ditch, three men came suddenly out, and were running away, but were observed by Mr. Taylor, who being on horseback, gave the alarm, they pursued, and at length, after being told if they did not surrender they would be shot, were secured. On searching the ditch where the robbers came from, there were found twelve pistols, eleven of which were loaded, and the other had lately been discharged ; a very considerable sum

in

in cash, and bank notes to a large amount, were found concealed in a Welch wig. They were taken to the barracks, where they were stripped and searched. Some Louis belonging to the foreigner, and a pocket book belonging to the other gentleman, were found in a great coat belonging to one of them. They were ordered to remain in Woolwich barracks during Saturday night, and on Sunday were removed to Maidstone goal.

These three malefactors were born in London, of parents in respectable situations; had served apprenticeships to trades by which, with industry, they might have lived in credit to themselves, and been useful members to society; but, unfortunately, they got connected with bad company, which gradually led them to scenes of wickedness and debauchery. Extravagance obliged them to have recourse to dishonest means of obtaining money: and they latterly constituted a part of that set of daring plunderers, called the Blackheath Gang; with whose repeated robberies almost every daily newspaper gave accounts. They were also more than suspected of being a part of those men who stopped the Dover mail coach, and shot the guard.

They were detained at the said assizes, charged on oath with feloniously assaulting Admiral Sir J. Wallace, on the King's highway, in the county of Middlesex, with pistols, with intent to rob him. They were also detained, charged on the oath of Robert Hackett, coachman to Admiral Sir J. Wallace, with wilfully, maliciously, and feloniously shooting at him, the said R. Hackett, on Ashford common, in the county of Middlesex, with a pistol loaded with powder and ball, which ball went through the sleeves of his great coat

and body coat. They were also further detained, charged with divers other felonies and highway robberies, committed in the county of Middlesex.

No three men, who for some years infested the roads of this country, had more *industriously* followed their wicked avocations. Every road which leads from the metropolis they had *successfully* traversed.

When they underwent an examination before a magistrate, Shepherd seemed very much inclined to turn evidence; but from their mutual criminations it appeared, that he, if not more culpable than the rest, was at least, equally guilty.

Patrick Summers, aged 22, the other unfortunate but daring offender, was born in the county of Tipperary, in the kingdom of Ireland, and had received a decent education. After travelling several parts of this country, working as a labourer, he at length listed in the army. Idleness here introduced him to bad company, and not being naturally of the most virtuous disposition, he soon associated with a gang of highwaymen, who considered him as a most valuable acquisition, on account of his ferocious disposition. He was soon enabled to purchase his discharge, and entirely join the gang.

This man was indicted, (with two women, acquitted,) for feloniously assaulting Daniel White, on the king's highway, in Chartham, on the 11th of October last, and robbing him of 17s. in silver, and one silver watch, his property. He was also detained, at the same assizes, charged with assaulting S. Thornton, in Chartham aforesaid, on the same day, and robbing him of two half guineas, some silver, and one silver watch, his property.—He was further detained, on suspicion of assaulting James Walker near the same time and place,



place, and robbing him of one half guinea, one half crown, some other money, and one silver watch, with steel chain and steel key, his property. He is said also to have been guilty of divers other robberies, and to have been a member of the Blackheath gang.

To mark the peculiar atrocity of their crimes, and strike a terror into the remainder of the gang who have infested that road, these four criminals were ordered to be executed at Shooter's hill, near the spot where they committed the crimes.

While they lay in goal after conviction, being assured they had no hopes of pardon in this world; they behaved in a manner highly becoming their unhappy situation; seemed impressed with a proper sense of their past errors; and zealously implored forgiveness from that source where alone it could be obtained, through the merits of a crucified Redeemer.

On Wednesday morning, March 25, the day appointed for their execution, they were conveyed from goal in a coach, attended by a number of civil officers, and a party of dragoons. On the way they continued to evince marks of penitent resignation, employing their time in fervent prayer. Between twelve and one they arrived at the fatal spot, where they were soon to terminate their earthly career, and appear before the awful Judge in eternity. They then were placed in a cart, which was drawn under the gallows. They now again prayed most fervently, seemed calm, collected, and perfectly resigned. While the executioner was performing his duty, Summers looking around him, addressed the populace as follows:

“ Good Christians pray for my soul; God bless you all; I hope my fate will be a warning to the young, gay, extravagant, and thoughtless. If I



had not too easily given way to evil company, this had never happened. God bless you all; pray for me."

A little after one o'clock, every thing being adjusted, the fatal signal was given, and they were launched into eternity, with their irons on; after hanging the usual time, their bodies were cut down, and delivered to their friends, who conveyed them away; the body of Patrick Summers excepted, which, as there was no person to take it, was interred under the gallows.

The number of people assembled to witness this execution was immense, it having been a long period since a similar occurrence happened; every part of the road was lined, at an early hour; that from London not excepted, three of the unhappy sufferers being well known there. The ground was guarded by parties of dragoons, who paraded in all directions, for a considerable time before the unfortunate men arrived.

The wretched end of these four malefactors who were all in the prime of manhood, is an awful corroboration of that sacred truth, "Evil communication corrupts good manners."

*Account of the PARENTAGE, TRIALS, EXECUTION, &c. of JAMES MACINTOSH, and JAMES WOOLDRIDGE, for FORGERY; and of JAMES RILEY, JOSEPH ROBERTS, WILLIAM CROSS, and ROBERT NUTTS, for HIGHWAY ROBBERY.*

THESE men were found guilty in December, and January sessions, 1800—1—but on account of his Majesty's then indisposition, the Recorder did not make his report till about 6 months after

after, when out of about forty these six men were ordered for execution on the Wednesday following, June 24, 1801.

James M'Intosh, the eldest of these unfortunate men, was born of creditable parents, who bestowed upon him a decent education. At the time he suffered, he was in the 65th year of his age. He resided for some years in the neighbourhood of East Smithfield, where he kept a public-house. He was bald headed, and exhibited a most awful spectacle.

He was convicted for forging a seaman's will, purporting to be the order of John Johnson, and Alexander Davidson, Esqrs.; but some doubts arising, his case was reserved for the opinion of the twelve judges, who confirmed the sentence.

James Wooldridge, aged 38, was born of creditable parents at Wolverhampton, where he followed the business of an anvil maker; being unfortunately of a gay and lively disposition, he plunged into extravagancies he was unable to support by his business, and took to the forging or uttering forged bank of England notes.

He was indicted for uttering, knowing it to be forged, a one pound bank note, which he passed at the shop of Mr. Roderiques, butcher, in Whitechapel-Road, where he bought a haunch-bone of beef, first giving a two pound note, which was refused; afterwards the one pound note, he was then asked his name and address, and called himself James Edmunds, said he lived at No, 9, King Street, Mile-end New Town. On the note afterwards being suspected and search made for the person who passed them, there was no such number, or name in the street.

Wooldridge however, as it afterwards appeared, resided at No. 8, in that street where he took  
the

the beef; he had carried on this nefarious practice to a great extent, employing his brother Francis (who was also tried and acquitted, as it appeared he was a little deranged, and the complete tool of James,) and several others. A witness was called to prove the prisoner had told him he had had, and put off a number of forged notes, over Westminster and Blackfriars bridges, and in the Borough. This was objected to by Mr. Guernsey and Mr. Ally, on the part of the prisoner, as not applying to the identical note for which he was indicted, and now called upon to answer for at the hazard of his life; while, on the other hand, Mr. Fielding, Mr. Garrow, Mr. Knowles, and Mr. Giles, contended it was proper to be submitted to the jury, as a proof he was in such practices, and in favour of which, the Court decided, after having heard it argued by the above gentlemen for near two hours.

The Judge, after recapitulating the whole of the evidence, observed, that small bank notes had of late become very numerous, and in general circulation, and that it was not at all improbable, that a person might have a bad note in his possession, and offer such without knowing it to be so—the jury would, however, take the whole of the evidence into their consideration, particularly recollecting, that when the prisoner uttered the note charged in the indictment, he gave a false name and residence, and say whether or not that fact was not sufficient to prove a guilty knowledge; if so, they must find him guilty; but if they had any doubt as to the credibility of the witnesses, or upon the whole of the evidence, they would acquit him.

The jury hesitated a few minutes, but returned a verdict of Guilty.

James



James Riley, aged 27, and Robert Nutts, aged 20, were both born in London, of parents in respectable situations. Early connections with bad company brought them to an untimely end.

In January sessions, they were capitally indicted for assaulting and taking from the person of Andrew Dennis O'Kelly, Esq. on the king's highway, on the 3d of December, at Hayes, near Uxbridge, three seven shilling pieces, one half guinea, one half crown, and several shillings.

The prosecutor swore, that about eight o'clock on the evening of the third of December, as he was going in a post-chaise to West Wycombe, he was stopped about a mile on this side of Uxbridge by three footpads. The prisoner Nutts stood at the horses heads, while the other prisoner Riley opened the chaise door, and demanded his money; that he gave him all the loose cash he had in his pocket, as stated in the indictment; they then demanded his pocket book and watch; he assured them he had none; the prisoner Nutts then came to the other side, and searched him, and took from him some loose paper, which they afterwards returned; the third footpad, who is not yet taken, felt his breeches pocket, and took from him fifty pounds in bank notes, and a bundle of linen, that lay upon the seat of the chaise. They then made off; he then proceeded to the next public-house, in order to get assistance, but could not procure any, nor at Uxbridge; he was going on to West Wycombe, when he was about a mile from Uxbridge, he was overtaken by a person on horseback, who informed him that two of the men were taken: he swore particularly to one of the shillings, from a certain mark upon it.

Nibbs, the constable of Hayes, was walking on the foot path when Colonel O'Kelly passed  
by



by in the chaise, and seeing some men on the road make up to the chaise, and suspecting they intended to rob the person inside, seeing the carriage stop, he went on to the Adam and Eve, got assistance, and he and four other persons pursued them into a field, and secured the two prisoners, but not till they had made a desperate resistance; they fired two pistols, which both fortunately flashed in the pan.

William Cross, aged 23, was born of poor but honest parents, in Huntingdonshire, and followed the occupation of waiter at inns, &c. and being naturally of an extravagant disposition, and addicted to carnal pleasures, (though he had a wife and two children,) he found the produce of his occupation by no means adequate to his expences. Forming a connection with some highwaymen, he was but too soon persuaded to become one of their party; and though young in years, became an old offender. The robbery for which he suffered, was for assaulting William Allen Thackwait on the king's highway, and robbing him of a watch, &c. value three pounds nine shillings and eightpence, an account of which we shall describe in the prosecutor's own words.

“ On the 9th of December I was in company with Mr. Lifford, in a single horse chaise, near the three mile stone on the Uxbridge road, about six o'clock in the evening, it was quite dark; we were stopped by a single highwayman, on horseback; he presented a pistol at Mr. Lifford, and demanded his money; he was driving; he galloped past the chaise first, and halloed out stop; we did stop, and he laid hold of the reins, because we did not pull up quick enough; he then said to Mr. Lifford, give me your money!—He presented a pistol to my friend's breast, it appeared to be  
a short

a short thick pistol, but being dark, I cannot be particular.

“ We had a gun in the chaise, but we made no resistance; Mr. Lifford gave him two half guineas and a guinea; I believe, but did not see the money; he did not seem satisfied with that, and I gave him a purse, containing a guinea, one or two half guineas, I am not certain which, a seven shilling piece, and some silver; he then demanded our pocket books, we told him we had none; he pressed us very hard, and I said, d—n you, cannot you believe us, we told you before we had not; he then demanded our watches; he took from me a double case metal watch, a steel chain, and a metal key, there was no seal to it; I had had it twelve or fourteen years; I described it at Bow street, before I saw the watch; he then took my friend by the hand, and said, ‘ God bleis you, I have got a wife and family,’ and then rode off towards Acton; we were not more than forty yards from the White-horse inn, we intended to drink tea there, and we told them we had been robbed.

The man that keeps the White-horse, said, the Bow street officers had been there the night before, and he expected them there again; they came in the course of ten minutes or a quarter of an hour afterwards; they separated and went away; I told them the maker’s name on the watch was Watson; this was on the Tuesday; on the Saturday following, I went to Bow street, I described the watch, and then it was produced to me, and I swore to it, it had the chain and the key exactly as I lost it.”

Two Bow street patrols immediately went to the turnpike at Hammersmith, where about 12 o’clock Cross came, and on being stopped and

searched, the watch taken from Mr. Thackthwait, and a pistol, &c. were found.

Joseph Roberts was in the 26th year of his age; he was born in the county of Middlesex, and resided at the house of Mrs. Norris, near Chalkhill, Walford. He was brought to an untimely end by committing an highway robbery on Mr. Milsum, on the 12th of December, from whom he took three shillings, and some halfpence.

On the 16th, Mr. Milsum saw him go by the window of his shop at Barnet, on which he procured assistance, and followed him. They pursued him for nearly two miles before they overtook, and secured him.

On the Sunday previous to their execution, they attended chapel, and heard a most excellent occasional sermon.

Wednesday morning about eight o'clock they ascended the fatal platform, attended by the Ordinary, &c. They appeared very penitent, and met their fate in a becoming manner.

As soon as the executioner had fixed the rope, the clergyman took his leave; the fatal signal was then given, and they were launched into eternity.

The only remark we shall here make, is, respecting the *false* name and address, which seems to have been the strongest evidence against James Wooldridge. Truth certainly is the best policy, notwithstanding the false proverb, which says "It is not to be spoken at all times."—It should however be observed, (and we wonder it was not, by the prisoner's counsel,) that a man who is in *debt*, might be very loth to put his *real* name, particularly when accompanied with his *address*, on a paper which goes through so many hands, and



and might probably enter the possession of some of his CREDITORS :—In such case, however, he should write the name and address of the person from whom he had the note.

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*The TRIALS, BEHAVIOUR, &c. of JAMES LEGGE, and RICHARD STARKE, who were executed for WILFUL MURDER, November 2, 1801.*

ON Friday, October 23, 1801, James Legge of Chelsea Hospital, was tried for the murder of his acquaintance, and chamber-fellow, William Lambe, by firing at him, October 2, with a pistol loaded with powder and ball, which ball passed through his lungs, and in consequence of which wound he expired.

The prisoner and the deceased were old Chelsea pensioners, and held what is called the rank of captains in the hospital. They had lived, as it were, together for several years, that is, in the same sitting room, out of which they had separate bed-chambers. The wife of the deceased stated, that, on the morning the melancholy circumstance took place, she came out of her bed-room at near seven o'clock, and found the prisoner walking about, and swearing very much; she asked him what was the matter? on which he replied, he would turn her out of the room, if she said another word. Soon after she went to her bed-room to see if her husband was stirring, and found he was dressing himself; at that moment the prisoner rushed by her, and put a pistol into the hand of the deceased, who asked what that was for, and threw it into the other room; the prisoner made towards the door, and fired  
 4 h 2 through



through the glass of it; then turning to her, said "I've done it! I've done it!" She perceived her husband fall, and he expired immediately.

This was corroborated by two witnesses, who went into the room on hearing the report of the pistol; one of them found a broken pistol on the ground, with a ball in it, but no powder, and both of them heard the prisoner acknowledge the fact, and express satisfaction at what he had done. The surgeon of the hospital proved that a ball had passed through the lungs of the deceased, and had caused his death.

The prisoner being called upon for his defence, said, that from the repeated insults which he had received from Lambe, he prepared a brace of pistols to bring the differences which existed between them to a decision. That on the morning after one of their quarrels, the deceased behaved in the same tyrannical and quarrelsome manner, on which he fetched the brace of pistols and offered him his choice, holding the butt ends towards him. Lambe took one of them with great violence, and threw it at him, (the prisoner,) on which he cocked his pistol and shot him dead; that if the deceased had acted in a soldier-like manner, and taken one of the pistols quietly, settled the distance, and ordered the firing, it might have ended in a different manner; but he was a tyrannical man that there was no dealing with, and he had worked him to such a pitch, that he was induced to hazard his own life to silence or moderate the deceased; that he had no witnesses, for there was only Mrs. Lambe present.

Some witnesses appeared to prove the prisoner was insane, but their facts only went to shew that he had the appearance of melancholy, and he had talked wildly in two or three instances.

The learned Judge, in summing up the evidence, observed, that this was as clear a case of aggravated murder as ever came before a Court; and the jury being of the same opinion, pronounced him guilty; on which the Recorder, after a pathetic exordium, passed the following sentence;—"That on Monday next, he be taken to the place of execution, where he was to be hanged until he was dead, and that then his body should be delivered to be anatomized."

Richard Starke was next tried for the wilful murder of Mary his wife, the 17th of October, at No. 1 Clement's-lane, by giving her several blows on the head, dragging her on the floor by the hair, and inhumanly kicking her, by which he gave her several bruises, and which bruises were the cause of her death.

Mr. Crowther and Mr. Andre, surgeons, were of opinion that she died in consequence of the rupture of the spleen, which appeared to them to have been occasioned by bruises.

Sarah Parkins said, that she lived in the same house, (No. 2, Clement's-lane,) as the deceased and her husband; that between seven and eight o'clock on Saturday evening, the deceased came into witness's apartment, and talked with her; that she went in and out several times in the course of the evening, as she was accustomed to do, but appeared to be extremely uneasy and troubled in her mind, which induced witness to ask her what was the matter with her, and she replied, she had been so all day, but could not tell what was the cause; that between eleven and twelve o'clock she went up stairs into the deceased's room, and found her lying on the bed, in her clothes, apparently asleep, and a child by her side. About twelve o'clock the prisoner, Richard Starke, came

came home, and went up to his room, but in a few minutes came down to witness, and asked for a bit of candle, saying, it was dark up stairs, then returned again, and shut the door of his room. In a short time after which, witness heard their child cry, and heard the deceased call out to her husband several times, " Don't murder me ! " upon which she, the witness, ran up stairs, and desired the prisoner to open the door, and asked him what he was doing to his wife. When he opened the door, he said, that she had pawned his breeches ; he asked her for the duplicate, and repeatedly struck her with his hands ; that witness told him not to strike her, and asked the deceased to come down stairs into her apartment ; but to this she made no reply, though she immediately after followed witness down, as did the prisoner, who, as the deceased was entering witness's apartment, struck her a violent blow, which knocked her down, and then kicked her repeatedly about the head and body. While the prisoner was in the act of beating her she was heard to cry out, " For Christ's sake, Starke, don't murder me—Iv'e done a fault, I do confess, but it shall be all set right to-morrow." He desired the witness to turn her out, and when witness endeavoured to assist her, by lifting her up, the prisoner seized the deceased by the hair with both hands, dragged her out of the room into the passage, where he dashed her down in a violent manner, and kicked her again ; and on witness attempting to lift the deceased up, she appeared agitated and convulsed, as if in a fit. That witness then assisted the deceased up stairs, and laid her on the bed, again desiring the prisoner not to beat her, who continued to swear and threaten her. That witness then returned to her own apartment, and sat up washing

all



all night, but heard nothing more, except the child cry between one and two o'clock in the morning. The poor woman was found dead in her bed, with her infant lying at her breast.

Mary Terry, another lodger in the same house, corroborated a great part of the foregoing circumstances, and said, that on being informed the next morning that the deceased was lying on the bed with her eyes open, she went up stairs, and found her lying on her left side on the bed in her clothes, except her cap, handkerchief, shoes and stockings, and that she appeared much bruised about the head, face and legs.

Both witnesses agreed that the deceased did not appear to be intoxicated the preceding night.

The prisoner in his defence, said, that the deceased had pawned his breeches on Saturday, and when he came home at night, she was extremely drunk, which occasioned her to fall down.

The jury had no hesitation in pronouncing the verdict of Guilty, and the Recorder passed the same sentence as he had done on the former prisoner.

The following Monday morning, about eight o'clock, these unfortunate malefactors, pursuant to their sentences, appeared on the scaffold opposite the debtors door of Newgate, amidst the execrations of many thousand spectators, who were assembled as early as half past seven o'clock to witness their behaviour at the place of execution.

Leggc's manner was as unconcerned during his confinement in the condemned cell as on his trial. He attempted to justify his conduct, by saying, the indignity of throwing the pistol at him after he had demanded the satisfaction due to a man of honour, was not to be borne; a soldier



dier would not brook such treatment. Throughout the whole of his confinement he betrayed no fear of death, was always collected, had been awakened out of a sound sleep at seven in the morning; and when he was about to ascend the scaffold, took Mr. Kirby by the hand, and said, "I mind this no more than I would, entering the field of action." He afterwards shook hands with all around him, and turning to his companion, Starke who was weeping bitterly, said, "Be a man and die with spirit." He made use of many other exhortations, and so far succeeded as to make Starke hold up his head. Before they were turned off Legge looked around, bowed to the populace, smiled, and appeared quite unconcerned. He warned the crowd of the fatal effects of intemperate passion. Just at this moment Mr. Kirby suggested to Dr. Ford the propriety of interrogating him on the pistols being *both* loaded or not. Dr. Ford complied, when Legge answered—"The pistols were both equally loaded—so help me God! Lord have mercy on my soul!" and, with his fellow convict, was launched into eternity. After hanging the usual time, (an hour) their bodies were carried to the dissecting room on Saffron hill, and the next day were exhibited for public inspection.

Legge was in the 25th regiment of foot about fifteen years, was born in Shropshire, aged seventy-four. His appearance was prepossessing, about six feet one inch high, with an expressive countenance, which was considerably heightened by the "sable silver'd" cast of his hair. He had served formerly in the gallant 34th regiment, and was reckoned one of the best swordsmen in the army.

Starke

Starke had been porter to Mr. Rose, a cheesemonger, in the Strand, about five years, bore an honest character, and had been married eight years.

Having hung the usual time, (an hour,) their bodies were conveyed to Surgeon's Hall for dissection, and to be publicly exposed.

Anger, that ungovernable passion, is the source of much evil—the irascible and vindictive are pests to society—"Be angry, but sin not—let not the sun go down upon your wrath."

The first murderer upon record, Cain, has left an example of fatal resentment, and it is this hostile disposition—this unworthy animosity, which divides families, and destroys all brotherly love.

INTERESTING PARTICULARS of JOHN SALMUN, and JOHN POTTER, *who were Executed opposite the Debtors Door, NEWGATE, Wednesday, December 23, 1801; the Former for CRIMINALLY EXTORTING MONEY on the Highway, under a DEFAMATORY THREAT, and the Latter for a RAPE committed on the Body of an INFANT.*

JOHN Salmun was in the 40th year of his age; and was born of creditable parents in Hampshire. About 1793, he entered into the army, from which he was discharged; he was afterwards in the East India Company's warehouses, where he bore a good character. He left that employ, and became acquainted with bad company who induced him to commit unlawful depredations on the public. The crime

for which he suffered was forcibly extorting money from Mr. Spencer, a publican. The circumstances of the transaction we shall give in the prosecutor's own words :

“ On the 7th of November last, I was coming from Park-lane down Oxford street, at night; I turned under a gateway to make water, when the prisoner collared me, and said I was a d—d Sodomite; I had never seen him before to my knowledge; he let me go, but came out, and threatened me all down Oxford street; he told me first of all that he was a Bow street officer, and his name was Thompson; that he lived at No. 6, Bull-inn court, in the Strand: that he had orders to take up every body of that description from the magistrates, and that he would take me to Bow street, and confine me all night, or to that purpose; he wanted me to turn down with him to the right hand towards Bow street, several times, and to have my hearing next day, for he had orders to do it, and any body would take his word before mine, as he was a Bow street officer; I kept on till I got to Drury lane, when he wanted me to turn down towards Bow street; I said I would not; he then said, it would be the ruin of my character, if he testified it, and of my trade and connections, but if I would give him twenty guineas, he would let me go; I argued upon the impropriety of his conduct, but he would have it, or I should go with him; I might then hint that he should have it; we went up Leather-lane home, and he kept close by me, talking in a low voice; my house is two doors from the corner of Cross street, and I left him at the corner while I went into my house, and got the money of my wife; I was not absent three minutes before I brought

brought out twenty guineas, and gave the prisoner; I gave them him because I thought it would be such a stain upon my character to have such things said of me; he then left me."

Salmun, (who still called himself Thompson,) went afterwards to Mr. Spencer, and demanded some rum and brandy, which he obtained. Mr. Spencer, by the advice of some friends, soon after had him apprehended: and his guilt was clearly proved on his trial.

John Potter, the other unfortunate malefactor, was in the 57th year of his age. He was indicted for committing a rape on the body of a child little more than eight years of age, and attended with consequences of a most shocking nature. The child, on the trial gave her evidence in a very clear and correct manner; but a detail of the transactions would be indecent to meet the public eye.

Potter was for some length of time in the army, and was considered a good soldier; and we do not know of any transaction to impeach his character, in particular, until the commitment of the crime for which he deservedly suffered.

About eight o'clock on Wednesday morning, December 23, these unfortunate convicts ascended the fatal platform, attended by the Ordinary, and seemed perfectly resigned to their unhappy fate. A few minutes after they came on the scaffold, they were precipitated into eternity, their devotional exercises having been previously performed in the prison, according to a new, and we think proper regulation—Their general deportment was such as became their awful situation. Salmun left a wife and family to lament his untimely end. After hanging the usual time, their



bodies were cut down, and delivered to their friends, for interment.

The crimes for which these men suffered, though of a different nature, are, next to murder, the most atrocious! Justice demanded their lives—yet mercy at the same time was conspicuous; for out of twelve prisoners sentenced to die, those two were only executed.

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INTERESTING PARTICULARS of the Trial, Behaviour, &c of MAYFIELD, WARD, CHESTERMAN, FITZGERALD, ROWLAND, JONES, CROSS, COOK, WHITE, COLLINS, LOCKYER, CUMINGS, HILLIARD, and DALEY, *Mutineers* on board the BANTRY BAY SQUADRON, upon a *Naval Court Martial*, on board *His Majesty's Ship* GLADIATOR, in PORTSMOUTH HARBOUR, January, 6, 7, 8, 9, 11, and 12, 1802.

ON the first day, Wednesday morning, January 6, a gun was fired from His Majesty's Ship, Gladiator, in Portsmouth Harbour, when the Union Flag was hoisted out at the mizen peak, as a signal for the trial, and for the several officers concerned to assemble on board. In half an hour after, the Court was formally assembled, and the doors were thrown open. The Mutineers were then brought into Court in custody of a deputy marshal provost of the Admiralty, and placed at the lower end thereof, the provost standing by their side with a drawn sword.

The following seamen, belonging to his Majesty's

jeſty's ſhip *Temeraire*, were the perſons put up-  
on their trial.

John Mayfield,	William Cook,
John Ward,	Chriſtopher White,
James Cheſterman,	John Collins,
John Fitzgerald,	James Lockyer,
Joſeph Rowland,	John Cumings,
Thomas Jones,	William Hilliard, and
Thomas Croſs,	John Daley.

The charges againſt them were read by the  
Judge Advocate, and are as follow :—

First,—Making, or endeavouring to make,  
mutinous aſſemblies.

Second,—Uttering ſeditious expreſſions ; and  
for concealing traiterous and ſeditious words ſpo-  
ken and tending to the hindrance of his Majeſ-  
ty's ſervice, and not revealing the ſame to their  
commanding officer.

Third,—Being preſent at ſuch mutiny and ſe-  
dition, and not uſing their utmoſt endeavours to  
ſuppreſs the ſame, between the 1ſt and 11th day  
of December, 1801.

John Aufrey, a ſeaman belonging to the *Te-  
maire*, was the firſt witneſs. He gave the follow-  
ing account of the mutiny :—“ I know the pri-  
ſoners. On the 1ſt of December, in the larboard  
bay, in the morning, I ſaw nineteen or twenty  
people ; they were drinking either grog or wine ;  
they ſwore to be true to each other. When they  
were going to begin, they ſaid,—‘ Drink to us  
like Briſiſh heroes, there is no fear we will go  
through the buſineſs ; ſhake hands like brothers,  
there is no fear if there are no informers.’ Fitz-  
gerald was preſent, Mayfield, Ward, Lockyer,  
Rowland, William Cook, and Cheſterman. I  
did not ſee Allen ; Taylor was there, Thomas  
Jones

Jones was there ; I did not see Cross nor White ; John Daley was not present. On Saturday morning, the 5th, at nine o'clock, Fitzgerald, Collins, Chesterman, and Cook asked the ship's company if they were willing to come aft, to tell their officers, now the war was over, they did not wish to go out of the land. They went aft, half way to the gang way, and made a stop, ' come and speak to your officer like men, now is the time,' and they went aft directly ; it was then about eleven o'clock. They spoke to lieutenant Douglas and Gore : Mr. D. asked them what they wanted. They said they were informed they were going out of the land, and that they did not wish to go. The Admiral came on deck and asked the same question : they answered that they wanted to know where they were going, and that they would not heave the anchor to go out of the land. The Admiral desired them to go down and be quiet ; that the Temeraire had an excellent character, and he should be very sorry to report mutiny in the ship. They all then went down to the lower deck. Fitzgerald, Cook, and Ward, said, nobody should drink more than their allowance, and in case any should get drunk, they would *cob* them ; and they hoped every man would stand true to each other. The word was passed fore and aft the same evening, that the first man who was caught lying on the yard to bend the sails, would be punished by themselves. I heard Fitzgerald, for one, saying this, ' their intention was not to kill or hurt any officer in the ship, in case they did not draw their arms against them : but if they, (the officers,) did fire, or draw their arms, they would shew no mercy. The officers could not kill any more than 50 or 60 of the foremost men ;' this was said by Fitzgerald

rald to me : and the first man who turned treacherous, and would not obey the same as the others, should be knocked down dead directly. A great many more besides myself heard this conversation. At the same time I heard Fitzgerald and Jack Allen say, ‘there is no fear, I believe, but they will go through with their proceedings, but we will not go out of the land.’ Allen then said, ‘there was no fear for the man of war’s men, as they would make them do what they liked ;’ then they parted. On the 6th of December, about one o’clock, as the men were at dinner, I saw Mr. Lawrence, the master’s mate, going round the deck. After he came, Fitzgerald, Chesterman, Allen, Lockyer, and Taylor said, ‘now is your time, lower the ports down ; douse the ports :’ they were all down but one, which Allen lowered down himself. Another port was not quite down—I heard Ward say, ‘that port is not down yet.’ Cumings said, ‘bar the ports.’ Cook, Fitzgerald, Taylor, Chesterman, and some others, ordered all the scuttles to be hauled in. Cumings desired a man to look out of the hawse hole, to see if any boat was coming round, and cheered at the same time. Lieutenant Douglas came and asked what noise that was ; when they began to cheer again ; he desired them to come aft on the quarter-deck, and let the Admiral know what they wanted, and if he could grant it he would. They all began to cry, No, no, and cheered. Jones and Hilliard said, ‘No, no, send the master of the ship down. We want to speak to him, nobody but he shall come down.’ At the same time, Lieutenant Douglas had his feet on the fore ladder, when Hilliard and another tried to unship the ladder ; and Simmons, (not one of  
the



the prisoners,) went and said he had like to break the lieutenant's neck down: Jones and Cook said, 'break his neck, and kill him.' A few minutes after the officers came down, and tried to keep the people quiet. Cooper, Lockyer, Fitzgerald, Collins, Chesterman, Cumings, Jones, Hilliard, and Allen, cried out, 'shoot, shoot.'—Taylor stood looking through the hawse hole to see if any one was coming. Christian White was very busy to try to unship the main ladder, but could not. They then went up to the quarter deck, when the Admiral asked the ship's company what they wanted, and why they made so much noise and confusion? Jones said they wanted to know where they were going? The Admiral asked if they had ever before been made to know where they were going? Jones said no. The Admiral then said, they had better be quiet, not to be obstreperous, as they would gain nothing by it: he said he did not know himself where he was going; he was ordered to sea on a cruize, and must obey his orders; that it was enough when he called all hands, and then he hoped they would go with good will. Many cried, 'No, no; we will not go from the land, we will go to England.' Fitzgerald and Jones joined in this cry. On Sunday morning, at ten, I espied a few cannon cartridges of powder in the locker nippers, and a match lighted on the larboard side, in a small washing-tub, covered with two shirts. John Daley, when I was looking over the locker, asked me what I wanted in the manger? I asked why he wanted to know? I told him I wanted to see the manger in case it should be wanted to heave up. Daley desired me to be gone; and if I did not, he would make me; and that a  
man

man was constantly centry at the manger door, to prevent any one from going in, except the yeoman of the locker-nipper. The centinel was put there by the party. On Monday, the 7th, James Ward ordered me not to bring my hammock up until piped up, and that every man should drink his allowance among themselves until it was all settled; and that they should do their work better, if possible: that no man should be treacherous to their king or country, that the war was over, and they would not go out of the land; that the first man who was found drunk should be punished among themselves. Ward passed these orders round to every man's birth. There was a great quantity of people consulting together, and when the officers used to come round, every man used to go to his birth, and come out again when they were gone; but they spoke so low, that I could not hear what they said. These consultations were held in Fitzgerald and Chesterman's birth. Lockyer said, he would be d—d if he would ship the capstern bar to go out of the land, and he hoped every body was of his mind. Mayfield said, he had been eight or nine years in the service, and would like to go and see his friends now the war was over. Every one was told by Chesterman, if they fetched the hammock up before they were piped, they would be knocked down the hatchways with their hammocks. On Tuesday, the 8th, silence was kept fore and aft, and persons came round to know if the other ships were in the same mind with the *Temeraire*. Fitzgerald and Chesterman said, the *Formidable*, *Majestie*, and *Vengeance*, were in the same mind; that there was no fear, the fleet would not fire at the ship,

they would find supplies and reinforcements in the three other ships; this they talked of in their own births, before their messmates, about six in number. Fitzgerald told me, I had no occasion to be afraid to speak, as nobody in the birth would inform of me, they being all of the same mind. On Wednesday evening, when the hammocks came down, James Ward went down on the lower deck, and desired me not to bring my hammock up next morning; the word was passed on the larboard side, by Ward and others; Cook passed the word on the starboard side fore and aft: that they wanted to barricade the lower deck hatchway in their own defence. In twenty minutes after, Ward countermanded this order, and bid the hammocks to be brought up as usual. On the same night, Taylor wrote a letter under the bowsprit, lieutenant Forfar came down close by the bowsprit, and Taylor ran over the starboard side between two hammocks, until the officer was gone, and when gone he came back. They had different pass words while the letter was writing; first of all they said, 'catch the rat—take hold of the rat,' it was a notice of an officer's coming. Another watchword, was, 'give me a chew of tobacco;' another was, 'I want a drink of water.' They had another pass word. I heard Cross, Taylor, Cook, Lockyer, Ward, Jones, Fitzgerald, Collins, Chefterman, and many others, tell Taylor what to put in the letter; when it was wrote, Ward went fore and aft and bid the men not to mind the officers, and be careful to bring up and down their hammocks as usual. On the next morning, nineteen or twenty were looking at the paper in Chefterman's birth. I could not tell what was in the paper. I heard

Fitzgerald



Fitzgerald and Chesterman say, in case the Temeraire should be in alarm, they would fire a sky-rocket, and make a signal to the other ships that were going out, to get their assistance. Chesterman asked me if I was willing to go out of the land? I told him I should not like to go, but if I was forced or asked, I must go. At the same time I said, the people of the Vengeance would do what their captain liked. Fitzgerald said, never mind what they did, as we have begun it, we shall go through it; and in case the officers should draw their arms against us, we will shew no mercy; they could not kill more than fifty or sixty people at most, and they could find fifty or sixty men to take possession of the magazines of powder. John Allen said that night to Stephenson, 'By G—d there will be blood shed before the week is at an end.' Stephenson replied, 'it is a bad job, somebody might pay for it.' They were drinking at the time. Allen said, 'God give me heart and strength, there is no fear; we shall go through with it, so that there are no informers.' Phillip Handcock, who was in his hammock, cried shame at us for making use of such expressions while the people were awake. The boatswain's mate having been drunk, he was clobbered, he received a dozen and an half from Chesterman with a pea-squeezer; about five in the evening, I went upon deck, as I was going towards the forecabin, I heard a great noise upon deck, between the two foremost guns, and I came back, and saw Patrick Cannan going to be clobbered for wrangling and making a disturbance among the ship's company: he called his mess-mate, George Dixon, a thief; Collins, the butcher, asked him if he could prove George Dixon



a thief; he said, no; well, says he, if you breed a disturbance, you shall be clobbered; George Dixon, drew his knife to Patrick Cannan, who gave him a slap in the face. Lieutenant Bogden came down and asked what noise it was; they told him it was only a man going to be clobbered. Lieutenant Bogden told them they should punish nobody with their own hands, but send them aft to be punished. Collins said, it was only a clobbering match; immediately lieutenant Bogden was shoved in the crowd, I saw a man strike him, I cannot tell who it was. An alarm came directly afterwards, and George Dixon came down the fore ladder from the main deck, and sung out, bear a hand up you b—s, here is a man in irons; the people went up, and made a rush to go aft to take possession of the arms and disarm the sentries, and go upon the fore-castle and kill all the officers; they said they would soon clear those gentlemen of quality of the fore-castle, and send them away, and began cheering all the way as they went. They stopt, and did not go aft; when they found the marines were under arms, they went to the fore-castle and gained the others; Fitzgerald wanted them to go aft, and take the arms; the captain immediately after that came on the fore-castle, and asked what they all wanted to make so much noise at that time of night; they said they wanted the prisoner to be delivered up; one Galitpie, James Riley, and many others whom I could not observe, said, he should not be punished; the captain said he should; he had been drunk on duty, and insolent to his superior officers. George Dixon was one whose voice I could pick out among all of them. Captain Eyles was walking fore and aft, having hardly room

room, had been shoved among them in the crowd, I could not see any body in the front that I could take notice of; but Collins, Daley, Fitzgerald, Cook, and many more, shoved the captain, when they picked out the principal ringleaders. On the 8th, (Tuesday,) I forgot to state that John Allen asked M'Evoy, if he thought they should find plenty of marines to join them, it was their own good as well as theirs; M'Evoy said, he could answer for twenty or twenty-four, that would join them; he said captain Vallock, of the marines, might order the marines to fire, there might be a few gulgins who would fire, but the rest would fire over their heads, and then throw their arms down, and come and join them, perhaps with their arms, if it was possible to get them; if not, the bayonet would do. M'Evoy was frequently among a few of the ringleaders, talking what way they should act.—John Fitzgerald, I saw very often along with him, but I could not hear what he said. On Thursday, in the forenoon, the Admiral called all hands on the quarter deck, concerning the letter that was sent to him respecting the ship's company, that they were willing to fight for their King and Country, but not to go out of the land; that the most part of them had been five, seven, or eight years in the service, and now the war was over they wished to go home. Admiral Campbell desired to know, if the marines were in the same mind with the sailors, and to send two of them to speak if they were, and the officers should not take notice of those men; and he desired captain Vallock to speak. John Allen, as soon as the people came down from the quarter-deck underneath the fore-castle, desired M'Evoy to go aft and tell the ser-  
jeants

jeants of marines to appoint two men to tell the captain and the Admiral, if the marines were in the same mind. A man of the name of M'Eath went, but I do not know what he said. Mayfield was the first man picked out; on Thursday, between five and six; Fitzgerald was the next. Cook said d—n your eyes, you b—s, why don't you speak your minds; don't be afraid; he then fell back to the ranks for fear of being picked out. Admiral Campbell came to the marines to try to make them quiet. A few sung out, stand your ground, you b—s. Jones said this, and said if every man was of my mind, no prisoner should go out of the ship, except they punished all. On that day, all the prisoners were picked out; except Daley, and Hilliard. I heard Dixon, and Comayne say, and many more with them, near one hundred and fifty, they would take knives, and stab the marines when they were asleep in their hammocks. If every man was of their mind, them poor fellows should not go out of the ship; it was not acting like ship mates, but d—d b—y rascals, to let these poor men go. I was present; Miles, the captain of the waist; Shackleday, Harris, Whittaker, and Williams, all belonging to the same mess. George Comayne was close by the fore bits. George Dixon said to me, he did not think I was fit to be among the true Britons; he thought I would report them, and begged me to go, I would not, and he knocked me down twice. On the 11th day, about ten o'clock, he told me I should not go home; he would make me sick before the week was out; I told him I did not mind it. He and George Comayne sung out as loud as they could, that in case they could not destroy the marines,



rines, they would kill the officers out of revenge; that their comrades were gone out of the ship; and if that would not do, they would blow the ship up. Thomas Symmonds, a fore top man, was there at the same time, and said he was sorry he had not killed the officers on Sunday: he had it in his power at the time, as he had a crow-bar in his hand. George Dixon gave me a kick, and I went away, and never went there again.

This witness being cross examined by captain Eyles, the prosecutor, said, he heard Fitzgerald, Collins, and Chesterman, on Thursday night, call themselves delegates—that they should punish the men themselves, and the officers should have nothing to do with it. He heard White, when attempting to unship the ladders, call out Fitz. Fitz. it will be proper to send a b—r after the crow-bar—also Hilliard cry out on the larboard side, with his hands up to his mouth, lower down the ports—he likewise heard Mayfield, when on the forecastle with Ward smoaking his pipe, say, he would see himself d—d before he would go out of the land. He saw those who had assembled, and swore they would go through the business, make use of a book, and he heard Daley say to Hilliard, we have plenty of powder forward in the nipper locker to cool the officers temper; and that if that would not do, they would rush aft and kill all the officers—Hilliard said that would do very well. At the time Daley was looking out at the hawser hole to see if boats were coming, Fitzgerald said, he would soon get two guns pointed aft, for the guns were loaded ready.—Snowden said, there were many of them loaded, witness did not know that they were.

Mayfield, Ward, Chesterman, Fitzgerald,  
Rowland,



Rowland, Cross, White, Collins, Lockyer, Cummings, Hilliard, and Daley, asked this witness several questions, the answers to which, were repetitions of his evidence. Admiral Holloway observed to Chesterman, that if there were any doubt of establishing charges, they would criminate themselves.

On Thursday, the second day of trial, James Richardson being sworn, gave the following testimony; " I went down to the lower deck for a sheet of writing paper. On the starboard side I found Edward Taylor, and asked him to write a letter. He said you had better wait till this business is settled. I then asked him what it was? saying at the same time that I supposed it was nothing concerning us. He answered, yes, it was concerning the whole of the ship's company. He then told me the ship was going to the West Indies, and that all hands were gone on the quarter deck to tell the Admiral they would not go. I then looked round and saw James Chesterman, and John Snowden discoursing together, and a number listening to them. I heard Chesterman ask Snowden if he was agreeable to go to the Admiral and speak to him. Snowden said he had no objection, if he got another or two to speak with him. That was agreed to, and Chesterman said, all we have to do is, to let the people in the middle deck know it. Taylor answered, here is one who belongs to the middle deck; he will do. Chesterman then touched me on the shoulder, and telling me all I have before mentioned, asked me if I would go and let the people on the middle deck know of it? I then went up and told my messmates John Clements and Joseph Wynne: but they began to laugh at me,

and

and said there was nobody there wanted to hear of it. Johnson, who was reading a book, asked what it was I said? I told him the particulars I heard below, and asked him if he chose to let the people know on the middle deck? but he made no answer. As I found there was nothing to be done, and I found it raining, I went down again, and my messmates told me it was all true. I asked who told them? One of them pointed to James Chesterman, who was going round the deck. Some time afterward, I went into the poop and swabbed it, and coming down again, saw a number collected on the forecabin, and calling others out of the waist. I went on the forecabin, and heard Chesterman and Snowden talking together, saying they wished they could get the other man to go along with them. I asked who he was? They refused to tell me, but said he was on the poop. I guessed it was Barney Young. I told them they need not wait for him, as it was his watch upon deck, and he could not come down. The people began shouting one another aft on the gangway till they were stopped by the officers on the watch at the quarter deck. The captain came out and asked what they wanted there? Some of them answered, they wanted to know where the ship was going to. The Admiral came out, and asked what was the matter? the captain told him, the ship's company wanted to know where the ship was going to. The Admiral answered, 'to hell, if she is ordered, and we must go with her.'—I was on the gangway; there was more conversation, but I could not hear it. The Admiral desired them to go down and make themselves quiet, which was done. I then went upon the poop, and staid till my watch was out. When I went to dinner,

my messmates told me the word had been passed, that when hands should be turned up to bend sails, they were to go down to the lower deck. In the evening, James Chesterman desired me to see that every person and messmate in the middle deck drank their grog, and that any man who was drunk would be turned down in the lower deck and clobbered. On Sunday morning the word was passed. This was the 6th of December. As before, when hands turned up to bend sails, they were to go down to the lower deck. About eleven o'clock, the hands were turned up to bend sails as usual. After sails were bent I went down to dinner. Having dined, I went to lower deck, where I saw Chesterman in his own birth, and I asked him what they were going to do, if to unmoor the ship or not? he answered, he did not know. During the time we were discoursing, Edward Taylor came down and asked what we were to do? Chesterman again answered, he did not know, but that we must soon know; there was no time to be lost, as the hands would be turned up to unmoor as soon as we had got our dinners. I then went to the middle deck to my birth, where I stayed till my grog was served out. As soon as I got my grog, a man came and passed the word for us to go down below, but who it was, I do not recollect. After this I went down to the lower deck, and stood alongside James Ward, and asked what he was going to do? he answered he did not know yet, but he believed he was going to lower the ports down. The words were hardly spoken when William Hilliard, was putting his hands to his mouth in the manger, and singing out in a loud voice, 'what do you say lads, one and all, fore and aft, lower away ports.' He had no answer the first time;

time; he soon repeated the same words again, and the ports were lowered accordingly, and the people all began cheering, and asked where the ship was going. Some of the ladders were unshipped. But the officers got down below, and sent all the people on the quarter deck. When there, the Admiral asked them what all that noise was about below? A great deal passed, but I could not hear it, and I went away. After that, Edward Taylor first told me to go down to the lower deck. I was going to the head, when I saw John Collins, the prisoner, smoaking a pipe on the forecastle; I asked him what the people were talking of below? he answered, I might as well come down, then I should know. Just as we had ended, John Cumings, the prisoner, came up and said, there's Franey in the fore gratings as drunk as hell, and quarrelling with every person he meets. With that Collins knocked the fire out of his pipe and went below with John Cumings. I followed them, but when we came there Franey was gone. John Collins went up again, and I went to the lower deck, and saw Franey in his own birth. I went up again under the forecastle, and Collins asked me if I had seen any thing of Franey since? I told him yes, he was in his own birth. He asked me if I thought he was drunk? I told him I thought he was. I had seen him in the fore gratings as I came up the first time. I then went to my own birth, and staid till six o'clock; then I went to the lower deck on the larboard side. There I saw Edward Taylor, John Collins, John Chesterman, John Fitzgerald, James Ward, and James Lockyer. The two latter were in their own births. They were all speaking about carrying the hainmocks up in the morning, and a number of people were



listening to them. The people who slept aft were to come forward. I heard Collins say he had passed the word aft, and the people had all agreed to it. After the discourse was concluded about the hammocks, Edward Taylor observed to the company, that they must beware of Mr. Staunton, the master's mate. John Collins made answer, saying, 'd—n him, he will be no trouble at all; we can smother him in his bed.' I said, 'Collins, I hope you will do no such thing;' he answered, 'd—n my blood, what's one man's life to a thousand.' I said, 'Jack, I hope there are none going to lose their lives.' Taylor observed, he hoped we could do without it, but there was one man more we must take off. John Blake, the boatswain's mate, one among the crowd, said, 'd—n him, we can hustle him among ourselves.' I went away; a little while after I met Taylor on the lower deck, and asked if he was going forward again, to make such a noise as in the afternoon? he said he did not know. I told him I thought it would be better to get three men to speak to the Admiral when he came to the hatchway, for that when we were together, making such a noise, no man could hear the Admiral, nor the Admiral hear us. He said, he thought that would be the best way, if we could get any body to speak to the Admiral. I told him I dared say there were plenty in the ship that would do it. He then mentioned John Collins, and Joseph Rowland. Between six and seven, I met Rowland on the middle deck, and began telling him what Taylor and I had been talking about. He said he was agreeable to speak, as he thought it better for two or three to speak to the Admiral, than so many. On Monday, the 7th, in the morning, I met Taylor in the middle

middle deck, and asked him again about my letter. He said I had better wait another day or two. He told me, when the hands were turned up to unmoor, to repair to the lower deck again. After dinner, as I was carrying my dirty water to the head, I saw a parcel of people standing at the foremost gun of the main deck; Franey over the hawser of the gun, and James Chesterman with a pair of pea squeezers in his hand to cob him with. Before he began, he pulled off his hat, and said he was going to cob him for breaking the rules and laws of the ship's company. Then he gave him a dozen. At five o'clock in the evening of Monday, I was going over the shipboard side of the lower deck, when I met Cook the prisoner, who asked me where I was going? I told him no where in particular; he said, you may as well look out here. I asked what for? he answered, they were going to do some business. I told him I was going to look out on the other side. I went back and crossed over the fore gratings and went unto Chesterman. Fitzgerald and Chesterman were talking about it. Chesterman called William Lockwood and asked him if he would look out? They went out of the birth, and were taking a man out of every birth, all the way aft to the main hatchway. As Chesterman came back, he gave the watch word. If any officer came forward, the watch word was given in a chew of tobacco. Then he went into the midshipman's birth, under the bowsprit, along with Edward Taylor, who began to write a letter. There was no other man in the birth, or near, except the people looking out. An officer came forward; they sung out, 'who will give me a chew of tobacco?' The candle was put out till the officer

was

was gone, when they began again. The watch word was 'knock that rat down.' An officer came down again, and the light was again put out. As soon as he was gone, the watch word was, 'I want to water.' Another officer came down; the light was put out again. Edward Taylor and Chesterman went into Rowland's birth, where the letter was finished. After the letter was directed, Taylor asked who had got a seal? Daley said, do not do that, you should not seal it. He then got the key of a chest and pressed it on the wafer. Then Chesterman and Taylor went to the midship birth with the letter, and I followed to see where they were going. Some conversation passed between Taylor and Chesterman, respecting the way it was to be conveyed to the Admiral. Somebody was to walk round the cabin door and drop it. Chesterman thought it would be better to give it to a quarter-master to put it in the binnacle. Fitzgerald came up, and asked Taylor if the letter was gone? Taylor answered, no. He said, if you give it to me, I will give it to James Shaw, the marine, who will leave the middle watch to night, and he will put it in the Admiral's steward's birth. Taylor said, we want the Admiral to get it to night. They could contrive no way to get it to the Admiral that night, and Taylor gave it to Fitzgerald. I heard no more of the letter, till I heard it read on the quarter deck. I am sensible there was no man but Chesterman and Taylor knew the contents of the letter, except it was broken open afterwards and read on Tuesday morning. Edward Taylor came to me on the main deck, and asked me if I had any of his writing? I told him no. He asked me if I was sure of that? I said, I would overhaul and see, to convince him, but I was sure

I had

I had not. He told me when the hands were turned up to unmoor, to repair to the lower deck as before. I told him very well. In the afternoon, I was on the lower deck, in James Chesterman's birth. Chesterman asked me if I knew Hazard, and if I knew any thing of his carrying messages to the officers? I told him I never saw him do it, and I had never spoke to him. Chesterman and Fitzgerald fell into discourse about the waiter, respecting the necessity of putting an end to him by some means or other. Fitzgerald said if he was put into a bread bag, they might heave him overboard. Chesterman seemed pleased at the idea. Some more conversation passed, which I did not hear. They agreed at last to let him remain till the business was all settled. Taylor being present at that time, said we must take care what we say before him. I went away and walked the gangway with Taylor. I said, Ned, I think it is a foolish thing coming down in the lower deck, when the hands are turned up to unmoor. He asked me why, what place could I find better? I said we should shew ourselves more like men to go on the quarter deck, and tell the Admiral our reasons, so that every man might answer for himself, if spoke to; that if we went to the lower deck, it would only give the officers trouble to come down and drive us up as before; and he might be sure they would come down when the hands were turned up, and very likely before we could get out of the middle deck. He said, very well, I shall consider, and see about it. Soon after, he told me, what I had proposed, was to be the way; and the word was passed, by whom I cannot tell, that when the hands were turned up to unmoor, we were to go on the quarter deck. On Wednesday



day morning, the word was passed again. One of Verrick's messmates, (the surgeon's servant, a black man,) came to our birth and asked if his messmate was there? I told him he was not. Then said he, he is somewhere about the ship, and I believe he is groggy. I went to the lower deck, where I was asked by one of the prisoners, if I had seen any thing of Verrick? I told him I had not. He said, he was somewhere about the ship drunk, and must be found. Soon after I was walking the middle deck, where I saw Verrick walking the starboard side of the gangway. I went down on the lower deck and called Chesterman and Collins; I told them, I thought he was not drunk. Collins said he was not drunk just now, for he saw him in the Admiral's steward's birth, and he dared say he had been asleep, and that might make him a little fresh again. There was nothing said to him that night. The word was passed, when all hands turned up to unmoor, to go to the forecastle and fore rigging. Taylor gave it me. Chesterman, Taylor, Ward, Cook, and Fitzgerald, were the only persons I ever saw give the word. On Thursday, the same word was passed again. Our Admiral went on board the Commander in Chief. I went down and asked whether they were going to cob Verrick? He asked me, if I saw him last night? I told him yes, and did not think he was drunk. I went away from him, and proceeded to James Chesterman, and asked him what they were going to do with Verrick? Do with him, said he, why cob him to be sure. I told him, I thought he was not drunk when I saw him in the gallery, and added, that Ward thought it might give him a caution not to drink so much again. That be d—n'd, said he, because he is a bit of an officer  
 he

he is to be favored. I was told afterwards, he was clobbered, but I did not see it; he had a dozen and half. The word was passed by the prisoners to repair to the fore-castle and fore-rigging. When the Admiral came on board, he produced the letter, and asked if it was known by the ship's company that such a thing was done? All hands answered yes. The Admiral read it, and asked a second time, if they all knew it? They answered, yes. He asked the marines if they knew it? They made no answer. He asked the ship's company if he should read it over again? They answered, no. All I heard further from the Admiral was, that when the hands were turned up to unmoor the ship, he expected it would be done accordingly. A great deal of conversation passed, which I did not hear. He satisfied the ship's company very much; they seemed all well pleased at what the Admiral said, but were still determined not to unmoor the ship to go to the West Indies. About a quarter after twelve, I saw Mackaway on the quarter-deck, talking to one of his own officers. After the hammocks were piped down, I went to his birth; and called to him. He followed me as well as he could under the hammocks till he got to the hawse of the middle gun. I asked him what he was doing on the quarter-deck? He made no other answer than that he did not know; only he said his officer told him he was a damned rascal. I then told him he was drunk. He said he was not; he had not drank a drop that evening. Some little time after, I went down below, to unlace my hammock. When I got to the foot of the fore ladder, I heard the irons shoving up. I went over the larboard side of the deck to Fitzgerald's birth, and told him Mackaway was drunk; and that somebody was

going in irons, but I did not know who it was. He desired me to go and see. I went up the main ladder, and saw it was a marine; I came down the main ladder again, and coming aft on the deck I saw a marine I knew. I asked him what his messmate was put in irons for? He answered, he had no messmate in irons. I said there was a marine in irons. He replied, yes. I asked him what it was for? He said he did not know. I said, he must have done something amiss, or he would not be confined. He said, he had abused his Corporal. I said, if he had got drunk and abused his officers, and got in irons, he must work himself out as well as he could. I left him, and went down the fore ladder into the lower deck, into John Fitzgerald's birth. I asked Skelley where J. Fitzgerald was? He shewed him on the gangway. I went and spoke to him; he told me I should stop, as he was busy. I then went to his birth alongside Skelley, and I saw Taylor come down, and call him away. I was sitting in the aft part of the birth. I looked round, and saw them run as far aft as the gun-room. I then went forward to John Maitland's birth, and said, Jack, there is a marine in irons. He asked me who? I told him Mackaway. He said we must have him out. I asked him what he must have been about? He said there were no prisoners allowed. I observed, he was as drunk as hell, and he had better let him bide. I had scarce said this, when I saw a parcel of people go up the fore ladder. I heard Edward Taylor say, "Bear a hand up from below—every man fore and aft." All the people in Maitland's birth were myself, Ward, and Lockyer. I then went away to the fore ladder, expecting they were going to release the prisoner. I could not get up time enough.

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There was nobody there. I went past my own birth, and sat down before the foremost gun till I thought it was all over. I then went round under the bowsprit, and came back again between the fore-mast and the copper. I had not been there five minutes, before John Daley came in and asked for a hat to go upon deck. No one made him any answer. I cannot say whether he was gone when Mr. Glover came and called to me to go upon deck. I told him I would come directly. I went to the fore ladder, not knowing the gratings were on. I could not get up there. I went to the main ladder when Glover came to me, and told me I must go up the after ladder. I went up the after ladder over to the larboard side of the main deck. Charlter was walking alongside, and Shenton before. As I went on deck on the starboard side, by order of the officer, the Admiral came round, and putting a lantern to my face, said he thought he heard my voice on the fore-castle. I answered him, no sir; I was not there. He said he believed I was, till I told him Glover sent me up from below. He then passed me, and said no more. The next morning (Friday) the boatswain's mate told me to go aft. As I was going Mr. Brown seized me by the collar, and sent me under the poop awning as a prisoner, till the Admiral and captain came up. I was ordered to the quarter deck. The Admiral said, this is the man I spoke to last night. I answered yes; but told him it was a mistake. He desired me to hold my tongue, and not speak. I heard the Admiral ask if that was not the man who spoke to the marine last night? The captain answered, yes. Then, said the Admiral, he is the man who turned the hands up. I answered, no sir, it was not. He again



desired me not to speak another word. I went and remained till three in the afternoon, I was then sent on board the Windsor Castle as a prisoner.

This witness in his cross examination, said, that he heard no other person but Taylor and Chesterman say, they were delegates for the ship—that he never heard any of the prisoners propose to break open the magazine or gunner's store room. He did not see any of the prisoners looking out at the hawser hole for boats, nor hear any of them desiring another to do so. He considered Chesterman, Ward, Mayfield, and Cook as the ringleaders. Also Collins, Cummings, Hilliard, and Lockyer, as active men; he never heard Collins propose to smother the mate. The prisoner Lockyer asked this witness a question but the Court interfered, deeming it against himself, and consequently the prisoner did not press it.

Thomas Spencer, the next witness spoke as follows: "On Tuesday, the 8th of December, from six to eight in the evening, I saw John Collins, James Ward, John Fitzgerald, Thomas Jones, Thomas Cross, John Mayfield, James Chesterman, William Cook, and Edward Taylor, with a book on the table, and a sheet of writing paper on the book, Collins telling Taylor what to put in the paper. I asked Cook what that was concerning, and he told me it was a letter they were writing to the Admiral. The people were sitting outside their births, and when Lieutenant Forfar came 'fore, the people sung out 'a rat, a rat!' and throwing their hats down on the deck, said they wanted a chew of tobacco, and that they wanted to p—fs. Then the people run out of the birth, and John Collins ran out

out of the starboard side and sat on the cable. Edward Taylor ran in between the hammocks with the book and sheet of paper in his hand; and when lieutenant Forfar went aft, the people went into the birth again to write the letter; but how it went to the Admiral I do not know. James Ward constantly walked round the deck on the 8th, 9th, and 10th of December, desiring the people not to take up their hammocks till they were piped up. He proposed barricading the hatchway fore and aft with the hammocks; and if that would not do, when the hands were turned up, the ship's company were to rush aft, disarm the centinels and take charge of the arms. On Sunday afternoon, Edward Taylor wanted to block the hatchway fore and aft. He said he had helped to cheer in several ships in his life, but he never cheered so heartily as in this. As soon as the officers came on the lower deck, and called out to fire, he answered 'fire and be d—d,' and calling for crow bars, he sung out, 'kill 'em, kill 'em, kill 'em, the b—s.' When the officers got some of the people to haul up two or three of the midship ports, Mr. Forfar stood in the fore hatchway. Taylor jumped into the fore hatchway to lower the ports, and Mr. Forfar shoved his sword at him, and he jumped back to the other side and spoke to lieutenant Douglas, but what he said I do not know. The people hustled one another to go on deck. Harry Skinner sung out with his hand to his mouth, that they were willing to fight for their king and country but it was peace, and they would not go out of the land. Then the people began to cheer. On Sunday. Cook wanted to take the arms while the hammocks were in the hatchway fore and aft. He went round every night to pass that order;

order; I heard him, and he told me so himself. Also when the men were aft, he was cheif in singing out, 'no, no. You b—'s, why don't you sing out? why do not you stick true to each other?' He was the first in the front of the people; then he fell back and said, 'why don't you sing out?' also when the grog and wine were served, he went round the deck, desiring every man to drink his allowance. Then, when he got forward, the people used to sing out, 'every one their own.' Also when the ports were down on Sunday, the 6th, he sung out, 'unship the ladders,' and endeavoured to upset lieutenant Douglass coming down the fore ladder: John Fitzgerald very frequently went to the people to put fresh mischief in their heads, generally with a mob round him. He sent for Mac Evoy, the marine, one night, to go through the marines, to get them on their side, if such a thing happened again. Mac Evoy, in my presence, went and came back again, and told Fitzgerald in my hearing, that he had passed the whole of the story throughout the marines, to stick true to the sailors. If such a thing happened, he said, there might be some young *gulpins*, who, if the captain ordered them to fire, might fire; but the rest would throw down arms, and join them. I have seen James Chesterman corresponding with the others, but he always made me go out of the way: he wanted none of my hearing there. On the 10th of December, as Chesterman was on the morning watch, he said, if he saw any man bring his hammock out before they were piped, he would fetch him down the ladder, break his neck, and get more hands to help him. Thomas Jones was talking of getting possession of the arms, and said, if that would not do, it was easy

to break open the gunner's store room, and get charge of the tomahawks. 'This was on Wednesday and Thursday. Rowland the carpenter, said he would not clap a hand to ship a capstern bar, if the ship was going down. At this time he was a-breast of his own birth, on the starboard side. Mayfield I have heard hold conversation with the rest, but I cannot tell what he said. On Sunday the 6th, before we bent sails, I heard Hilliard and Daley say on the lower deck, that they had got some powder in the nipper lockers, that would send all the officers to h—ll; and if that would not do, they would turn to, and kill every officer in the ship. Daley said he had got eight or nine cartridges of powder, four or five matches, and one constantly lighted; and two rockets to make signals to the other ships; and said, when they were all gone, they had got some more.

This witness was called again on the third day (Friday,) and in his cross examination said, that he did not recollect hearing Collins say any thing about smothering Mr. Staunton in his bed;—none of the prisoners shewed any signs of remorse, or expressed any desire to return to their duty. The book he mentioned was not a bible, but a writing book with a parchment cover. At the same time, Ward told the people to barricade the hatches when he went round. He said on Thursday, when the Admiral came on board, they expected the hands to be turned up, to unmoor the ship; then they were to rush aft, and take the arms at the same time; that the Admiral read the letter on the quarter deck to the ship's company. The prisoner Fitzgerald asked this witness a question, which he forbore:  
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being interrupted, and told that it did not make part of the evidence against him.

John Blake, the boatswain's mate, said, "On the 5th, I saw a mob collecting in Ward and Lockyer's birth; it appeared that Fitzgerald was one of the chief persons. Soon after the mob collected, Ward and Lockyer came forth before one hundred and odd men along the bey up the fore hatchway, and soon after the ship's company followed what they did. On Sunday, after bending sails, I saw Fitzgerald in different parts of the ship with a number of people. About one o'clock the mob rose in Lockyer, Fitzgerald, and Chesterman's birth, and the ports were shortly after lowered down. It appeared to me that Fitzgerald and Chesterman were the ring-leaders. I could not hear any of them but Cumings, who stept before the mob, and said to one of the officers, Mr. Pugson, who was casting off the netting, 'hang the rascal.' He ran to the fore ladder, and endeavoured to unship it, but he could not. During Sunday it appeared to me that a number of men, to the amount of two or three hundred, came to Fitzgerald and Chesterman's birth, at different times of the day, which proved clearly to me they were the most active. When the men went to the birth they stooped down, and from all of them making that motion, it appeared to me they were taking the oath, or passing the word. It appeared to me Riley and Fitzgerald were messmates, by their continually going up and down the ladder. On Tuesday, the 8th, there was an order by the captain and officers to get some strong beer on board, and broached. Soon after it was broached, Lockyer and Ward came on the main deck, and gave orders that no beer should be drank; Taylor gave

gave the same order. Fitzgerald said on Sunday, after the cheers were given, 'now the sun shines on us all at last,' and then went up the fore ladder. He asked M'Knight, a-breast of Staunton's birth, are you a man after my own heart?

*Q. By the PRESIDENT.* Did you hear any of the prisoners say they would not go out of the land?

A. No; they kept every thing very close from me.

*Q.* Did you see any of the prisoners go into Chesterman and Fitzgerald's birth?

A. Ward, Cook, White, Lockyer, Cummins, and Daley, were in Chesterman and Fitzgerald's birth.

*Q. By the Prisoner FITZGERALD.* Who was the person I told, the sun shines upon us now?—[the prisoner did not press this question.]

*Q. By the Prisoner DALEY.* Do you know whether I was upon duty when I was walking a-breast of Fitzgerald's birth, as you know my duty required me to be there, at that side of the deck about those hours, from the time the hammocks are piped up till they are piped down?

A. He was not in the execution of any duty; he looked very stern at me.

Michael Fielding said, Adam Bell came over on Saturday, at ten o'clock, from the larboard to the starboard side, forward on the lower deck, as Fitzgerald and James Kelly were walking past their birth, to inform them a great many people were talking of going ast in regard to not going to the West Indies. Fitzgerald made answer, the word should be passed to the ship's company, and see what they would say. All hands went ast on the quarter deck and came down again. I heard Chesterman say, the Ad-

miral gave no satisfactory answer, and without doubt they were going to the West Indies. About two bells after dinner, the word was passed for no man to drink more than his allowance. The same night the word was passed, if ordered to unmoor ship, all hands were to go forward and say they would not unmoor except for England. Taylor passed the word. I heard Chesterman give the orders to a great many as I was walking the deck. The word was passed two bells after dinner for all hands to go forward. Fitzgerald and Chesterman desired that the men on deck should all come down. I heard a voice say, come forward, lower all ports. I saw Chesterman and Fitzgerald lower the ports next their own birth; and cry out, lower away; and all hands repeated the cry, and called out, 'wad and shot, no place but England.' The first lieutenant, Mr. Douglas, came down to the fore hatchway, and told the men to come aft and speak to their Admiral. All hands said they would not, for they wanted to shiver them on the quarter deck. They called for wad and shot, and James Riley called, to hand the match. It was only to frighten the officers; there was no intention of carrying the threat into execution. It was done to prevent the officers coming down. Mr. Douglas called out a second time that the Admiral wanted them on the quarter deck, and for them not to make such a noise. I heard Riley say, strike the rascal with a shot. On Monday I heard Chesterman say, clapping his hand on the foremost gun, 'this is the very piece of ordinance that will do the business.' The same night I heard him give orders to bring the hammocks forward, and stow them on the larboard side of the lower deck forward, run in the fore-

foremost guns, and stow the hammocks so as to leave no room for any person to come in and out. If the guns should not be loaded, and the officers broke in, every man was to seize a shot and stand in his own defence. The same night I heard Collins say, he was ordered by the ship's company to get money for a marine's wife, as the marines subscribe to their women. Money was subscribed that night. Next morning I heard Chesterman say there was a great watch the night before. They could not stow the hammocks. At this time I was under the fore-castle swabbing it. The same day I heard him say, if all hands should be called to unmoor at any time, all were to appear on the fore-castle and forerigging, and give three cheers; and if they attempted to fire from the quarter deck, to make a charge and seize the marines arms, which they expected would be given up without any trouble.

Timothy Whitfield said, he saw Cross assisting in carrying crow bars forward on the lower deck, between four and six o'clock on the 1st and 11th of December. Lockyer and Cumings were also assisting. John Snowden said that Cross came to his birth and told him he was wanted forward; he answered he did not choose to go, for he understood something improper was going on.

Douglas, boatswain, said, captain Eyles came forward on the larboard side of the fore-castle; the ship's company were all up in arms, singing out 'no prisoners;' all gathered round the carronade. Captain Eyles rushed into the middle of them, seized William Waddy, and brought him out by the collar. John Collins, the prisoner, and a great many more were round him; they got before captain Eyles, the pri-  
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soner, and myself, three different times. Captain Eyles still kept hold of the prisoner. They shoved him three times before he got him out; Collins joined in hustling him; he came right before him, and pushed up against him with his arms hanging down. I was obliged to lift my arms, and ask him if he knew what he was about, I was looking at Collins, and my hand was on his breast keeping him off. I said, do you know you damned rascal, who you are shoving? you'll suffer for this by and by. I do not recollect seeing any of the prisoners; it was very dark; I heard the voice of Fitzgerald. Some of the prisoners acted in a particular manner in the mutiny from the 1st to the 11th of December. They were on the quarter deck, and in different parts of the ship. There were Mayfield, Ward, Chesterman, Rowland, Cro's, Cook, Collins, Lockyer, Hilliard, and Daley, particularly on Saturday.

John William Dare, the Purser's Steward, said, on Thursday afternoon the hands had been turned out on the quarter deck; Collins came below to the steward's room, to turn some meat which was in pickle. I began to discourse with him as follows:—"Collins, what do you think of the speech the Admiral made on the quarter-deck?" "I think, (replied Collins,) he spoke like a father." "He spoke very well," said I, "and we may hope now the men's minds are quiet." He replied, "for the present. But the Admiral said, to day, he had no orders to unmoor; whereas, on Sunday, he told us he expected we would unmoor ship, when the wind came fair." I told him the letter was addressed in a very respectful manner, except the latter part, (I meant the letter the Admiral read on the  
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quarter-deck,) I wondered who wrote it? He answered, "the person is not far from you; there were twelve of us, and we could not make it any better," smiling at the same time. He did not mention any of the persons names. I said, "I hope, Collins, that whatever dislike the men may have to go abroad, their intentions are not to use violence to any officer or person whatever." He replied, "I don't think it is, or even disrespect; you see how well they do their duty; but did you observe the officers to day on the quarter deck, they had not even their side arms; for I think they were damnably frightened." "Don't think so, Collins, (said I,) it was not fear; it is not the wish nor disposition of the Admiral to hurt any one, and of this you must be convinced from what you heard to-day. The men have not any grievances, they have the best of usage, and what more can they require?" "Why, (replied he,) they are determined not to go abroad, and they have tried the ships in England, and they will not go; and I know I won't if I can help it." "Why I believe, Collins, not even the Admiral himself wishes to go; but our country wants our services." He then went away.

This witness being cross examined, said, he knew Rowland, and when the ship's company were on quarter-deck, heard him say, why don't you all speak, what is one man? he had his hat off and looked red.

George Perrot said, Rowland assisted in directing the letter—Taylor wrote the letter:—Collins, Chesterman, Fitzgerald, Cummings, and Cook were also present. On Sunday, December 6, he heard of the disturbance in the ship when he went down to his dinner. After dinner, grog  
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being served out, he saw the people come forward; in about five minutes there was a great noise, the cry was, lower the ports! and they gave three cheers. Cummings, Collins, Hilliard and Daley, he heard cheer; and Collins, Chesterman, Fitzgerald, Taylor, Cummings, Rowland, and Lockyer he heard called ringleaders.

Henry Smith corroborated Perrot's evidence.

Captain Eyles, of the *Temeraire*, who attended as prosecutor, on the part of the Crown, now stated that he had no fresh matter to adduce, or any more witnesses to bring forth, but in further corroboration of the several testimonies already before the Court. The evidence in support of the prosecution therefore closed.

On Saturday morning, the Fourth day, the Court assembled at nine o'clock, and the prisoners were called on for their defence. But Mr. Barry, their Counsel, in their behalf, acquainted the Court, that the prisoners were not fully prepared, and that they requested the indulgence of three hours to enable them to arrange more effectually the system of their defence. The Court readily granted the application, and adjourned over for that period.—At twelve o'clock the Court again met.

John Mayfield being first called upon, he delivered in a paper, which was read by the Judge Advocate, and was to the following effect:

“Mr President, and gentlemen of this honourable Court, for the first time in my life I am called upon to answer before a Court-martial an accusation of any kind, more especially that of mutiny. Conscious of my innocence, I shall endeavour to remove the fatal effects of the evidence which supports it, which I shall attempt to do with as little occupation of the time of the Court

Court as the case will admit, wishing earnestly to give as little trouble as possible; therefore, added to the acknowledgments I am bound to entertain for the patient and laborious hearing they have already bestowed in the investigation of the evidence against me, I have further to supplicate a like exertion of the same considerate attention to the evidence I shall adduce in my behalf, convinced that whenever there may appear any circumstance favourable to my case, I shall derive, from their justice and humanity every advantage of it, for which my gratitude shall never cease to flow. I have served his Majesty several years without crime or blemish; I have uniformly possessed the good opinion of my officers, and my whole life has been one uniform exertion to deserve it, by observing a due respect to them, and a strict attention to my duty. I am, consequently a man very unlikely at this period to falsify such an opinion, by a disgraceful adherence to mutiny; as well as I can, I shall endeavour therefore to remove the accusation; but if the evidence I shall bring forth will, not, according to the articles of war, and the strict rules of naval discipline, amount to an exculpation of the offence imputed to me, I have but one resource left, an appeal, through the medium of your humane recommendation, to the mercy of that Sovereign, in defence of whose person and Government I have ever been ready to shed the last drop of my blood. I fought in the battle at St. Fiorenza Bay, and on the 7th of February, volunteered my services to storm and take Fort Matilda; I did the same at Toulon, at Convention Hill likewise, and never ceased to do my duty. I shall now proceed to call my witnesses."

George



George Lamb, captain of the forecastle, remembers Mayfield walking Saturday, the 5th, in the forenoon, betwixt nine and ten, when a great part of the ship's company came on the forecastle; that Mayfield said, he would not go aft for fear of the consequences, for it was very little concern to him whether he went to the West Indies or not.

Timothy Whitfield never saw Mayfield, or any of the prisoners, administer an oath or drinking toasts.

Robert Williams did not recollect being in the birth on Thursday.

James Branning heard Mayfield read the history of Joseph Andrews, Monday, Tuesday, and Wednesday nights, generally from the time the hammocks were piped down, till the lights were put out—he never knew him do one act of mutiny—but like the other witnesses, Lamb, &c. he confessed he was not active in suppressing it.

James Chefterman was next called upon, and he delivered in a paper, which was read by the Judge Advocate, and was to the following effect:

“ Mr. President, and Gentlemen of the Honourable Court, It is next my unhappy lot to solicit your considerate attention to my unfortunate case, and to call your notice to the evidence which I shall produce in my behalf, persuaded that I shall meet, from the wisdom and the discernment of the Court, all that patient regard to my interest which their justice may deem me deserving, and which the circumstances that I labour under will allow. In the evidence of one of the witnesses brought forth to support the prosecution, it is stated, that I entertained the intention of committing murder. If the whole tenour of my life could be a contradiction  
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to it ; if the conduct I have always displayed in his Majesty's service ; if the behaviour I always manifested in the *Temeraire*, to the instant I was accused of mutiny could contradict it, I think I should refute the foul charge. And here, in the presence of Almighty God, I most solemnly declare that so barbarous a thought never entered my head. I shudder at the bare mention of it as applied to me. I know, however, that any thing arising from my bare assertion can be but of little moment ; but I trust I shall be able to produce such testimony as will remove the accusation. For the rest, I rely upon God, and the humanity and justice of this Court. I pretend not to more intrepidity than other men ; but on this occasion I feel myself justified in saying, that I have fought my country's battles, and in all things did my duty as a seaman ought, far from disobedience, and farther from disloyalty still, during a hard service of nine years. I was in the battles of the 14th March, 1795 ; of the 13th July, and of the 14th of February. I served under Earl St. Vincent, and two Honourable Admirals of this Court. I was present at the blockade of Cadiz, in all the actions off it, and did my duty there ashore when the tower was stormed."

The witnesses called by Chesterman, and the remaining prisoners, were for the most part those called by Mayfield, and their testimonies in each case were near similar.

John Daley presented a paper to the following effect :

"Mr. President, and Gentlemen of this Honourable Court. With the utmost humility, I beg to trouble the Court—No man more than myself can detest the shameful crime of mutiny, and no man more than I avoided it with more caution. I shall produce witnesses capable, I

hope, of proving that; and for that purpose, shall appeal to the officers of the ship. Since I have been in the service, it was always my pride to shew them obedience; and I hope, that, upon this occasion, they will do me the justice to say so. I am, however, accused of the crime of mutiny, and I must endeavour to refute it as well as I can. For that purpose I shall call upon these gentlemen, and I trust, that so far from manifesting either dislike or disobedience, I took every opportunity of giving such information of what was unhappily transpiring, as in my mind would prevent mischief, and in the end benefit the people themselves. I have a mother, a wife, and two children, in their behalf, if in any thing I have erred, I implore commiseration, and supplicate mercy; and in the hands of you, my judges, placing my life, I entreat that which of all things I consider as the greatest blessing you can bestow, preservation from a disgraceful death."

John Ward being called upon for his defence delivered in a paper, which was also read by the Judge Advocate. After an expression of the prisoner's abhorrence of the crime of mutiny, the paper states as follows:

"During five years faithful and loyal service, I have maintained the character of a good seaman, true to my King, and steady to my Country. My life is now in the hands of the Court, but I entertain humble hope and well-founded confidence,—the life of a British seaman cannot be in safer hands than in those of British officers."

Thomas Cross was next called upon. He presented a paper in which he says,—

"I humbly appeal to your mercy. It is not my intention to trespass on your time or attention

tion by calling any other witnesses but those to my character, which has been hitherto irreproachable. I always demeaned myself as was fitting, and in every respect as a seaman should. I have an aged father, who is supported chiefly by my means, and for his sake more than my own, I implore pardon for my offences. I acknowledge I have been led astray; but I hope that will not shut from me the door of mercy. I have served his Majesty seven years, and never once deviated from my duty."

Thomas Jones delivered in a paper to the following effect :

" I sincerely lament and deplore all the errors of my past life, and I particularly repent that in any instance I should manifest a disobedience to my superior officers. I shall not trespass on the trouble or time of the Court otherwise than by thus expressing my contrition for what has been done, and calling some gentlemen to character; adding, that if the Court, in its mercy, will spare my life, the whole course and conduct of that life, shall be one continual system of loyal and becoming demeanour, to shew my gratitude for the gifts by all the ways I can. Bowing therefore, with deference, and with profound humility to the Court, I commit myself to its charity and humanity; and especially on the account of an aged parent, whose life would be involved in my fate."

When John Cummings was called, he produced a paper, in which he says,—

" Upwards of nine years have I served his Majesty with steadiness and loyalty; and every officer under whom I served has given me a good character. I shall call witnesses, and, with permission, examine them as to the matters charged against me; and trusting to the purity



of my own mind, and my innocence of the offences imputed to me, shall conclude with appealing to the officers themselves of the *Téméraire*, to say, whether, during the whole time I belonged to the ship's company, I ever, upon any occasion, incurred their displeasure, or behaved unworthy a seaman. I fought many of my country's battles; I was in the action of the 1st of June, and that of the 23d of June, and behaved in all things as I hope became me."

William Hilliard being called upon, his paper was read. It stated as follows :

"I have been nine years in hard service, and conducted myself all that time as a seaman ought. I have been in many actions; I fought on the 14th of March, 1795, on the 13th July, and on the 14th of February, off Cape St. Vincent, under the Noble Head of the Admiralty. I have been in storming a tower at Cadiz, and in its blockade; fought several battles in the boats; I volunteered my services on shore at Toulon, and at Fort Mulgrave. I now prostrate myself before you, and if I shall not succeed in removing the accusation against me, let me supplicate mercy."

John Fitzgerald was next called upon. In his defence he said,

"I have served his Majesty faithfully and loyally during a period of twenty-one years, and in the whole of that time without crime or blemish, cheerfully performed my duty as a subject and a seaman should: I regret, however, that for a moment my mind was misled, and a sudden impulse seized it upon hearing that we were going to the West Indies, having long expected to return to my home in Limerick, from which I have been so long absent, and that peace  
being

being restored, I might return to my friends. The disappointment, (with the deepest sorrow I acknowledge and deplore it,) had a momentary effect upon my mind, but in the next instant it subsided, and I was ready to shed the last drop of my blood in my King and Country's cause. On no occasion was it ever my habit to boast of my services; but I humbly hope that, upon this occasion, I may be allowed to mention some of them, and commit myself to the care of the Almighty, and to the wisdom, justice, and commiseration of this Court. I detest mutiny as much as any man in the service; and I shudder with horror at the cowardly crime of murder, with the intention of which I am charged. That disgraceful stigma I hope to wipe away from my memory, whatever be my fate, and I trust in God I shall be able to do it. Death has no such terror to a British seaman as disgrace; at that I tremble more than at the separation of my soul and body. I have had hard service, and fought under several commanders. On the 12th of April, 1782, under the gallant Lord Rodney. I bore my share, commanded by Captain Rogers, in the *Quebec* frigate; I volunteered my duty on shore at Grenada, and assisted in quelling the insurrection; I have all my life, since I was able, devoted myself to my superiors and rendered obedience to their commands—in return for it I implore mercy."

Christopher White, when called upon, delivered a paper to the Court, in which he says,—

"It is stated in support of the charge of mutiny exhibited against me, that I 'unshipped a ladder, and called for shot.' I protest most solemnly that I am innocent of each; and that the testimony given to establish such accusations

is founded in error. As well as I am able, I shall endeavour to convince the Court of that, and leave the rest to their humanity and impartiality. I have served the king nearly seven years, and during the whole of that time I maintained such a character as became a seaman."

John Collins next was called on. In his address he speaks as follows :

"In addition to the charge of mutiny, I am likewise accused of an 'intention to commit murder.' I know that it cannot assist my case to assert any thing without being able, by witnesses, to prove it; but as it is impossible for me to produce any proof of what my intentions could possibly be, I am left to the solitary support of but expressing my innocence of that charge, which I do with all the protestations that a mind incapable of the foul deed can utter. I have been nine years in the service, without reproach. I have on all occasions proved my duty and my loyalty. I was the first in the Valiant to propose six months pay towards the contribution for carrying on the war, and this is the first time in my life my character was called in question."

Joseph Rowland, William Cook, and James Lockyer, made no defence.

The whole of the Fifth day, (Monday,) was taken up in the examination of witnesses in behalf of the prisoners. Several Officers appeared, and gave favourable accounts of the former conduct of many of them.

On Tuesday, the Court met at nine o'clock, and deliberated till two, when the prisoners being all called in, the Deputy Judge Advocate proceeded to read the following

### SENTENCE.

At a Court Martial held on board His Majesty's

Majesty's Ship the *Gladiator*, the 6th of January, 1802, and continued by several adjournments, President, Sir Andrew Mitchel, K. B. Vice Admiral of the White, second Officer in command, (here are recapitulated the names of the members of the Court,) pursuant to the order of the Commissioners for executing the Office of Lord High Admiral of England, and directed to the President, requiring him to try John Mayfield, &c. (recapitulating the prisoners names,) including Edward Taylor, and William Allen, Seaman, belonging to his Majesty's ship the *Temeraire*, or such of them as have arrived at Spithead, or, &c. (recapitulating the charges.)

The Court proceeded to try the said prisoners, (excepting Taylor and Allen, not arrived at the beginning of the trials, who have arrived at Spithead,) for the crime with which they are charged, as above mentioned; and having heard the evidence for the prosecution, and the defence made by the prisoners, and what they had to alledge in support thereof; and having maturely considered the whole of the same, the Court are of opinion, *That the Charges are PROVED against all, except White, and doth adjudge them to suffer DEATH, by being hanged by the neck, on board such ship of his Majesty, at Spithead, or in Portsmouth harbour, and at such time as the Lords Commissioners for executing the office of Lord High Admiral of England shall direct, and the said John Mayfield, &c. (all except White,) are hereby ordered to suffer death, by being hanged by the neck as before mentioned. And the Court is farther of opinion, that the Charges against Christopher White are in part proved, and doth order and adjudge*  
him



him to receive 200 lashes on his bare back, on board such ship at Spithead, or in Portsmouth Harbour and at such time as the said Lords Commissioners shall direct; and the said Christopher White is ordered to receive the said 200 lashes accordingly.

Collins then said, Permit me to return my sincere thanks to the Court for the patience and indulgence shewn me. I acknowledge the justice of my sentence. I have violated the laws of my country, and the discipline of the navy; but I declare to Almighty God that the intention of murder never entered my head. I solemnly call God to witness this declaration, and trust to the truth of it all my hopes of pardon in the other world. May God protect the British isles, and the government! and may God receive my soul!"

At these words all the other prisoners devoutly exclaimed "*Amen!*"

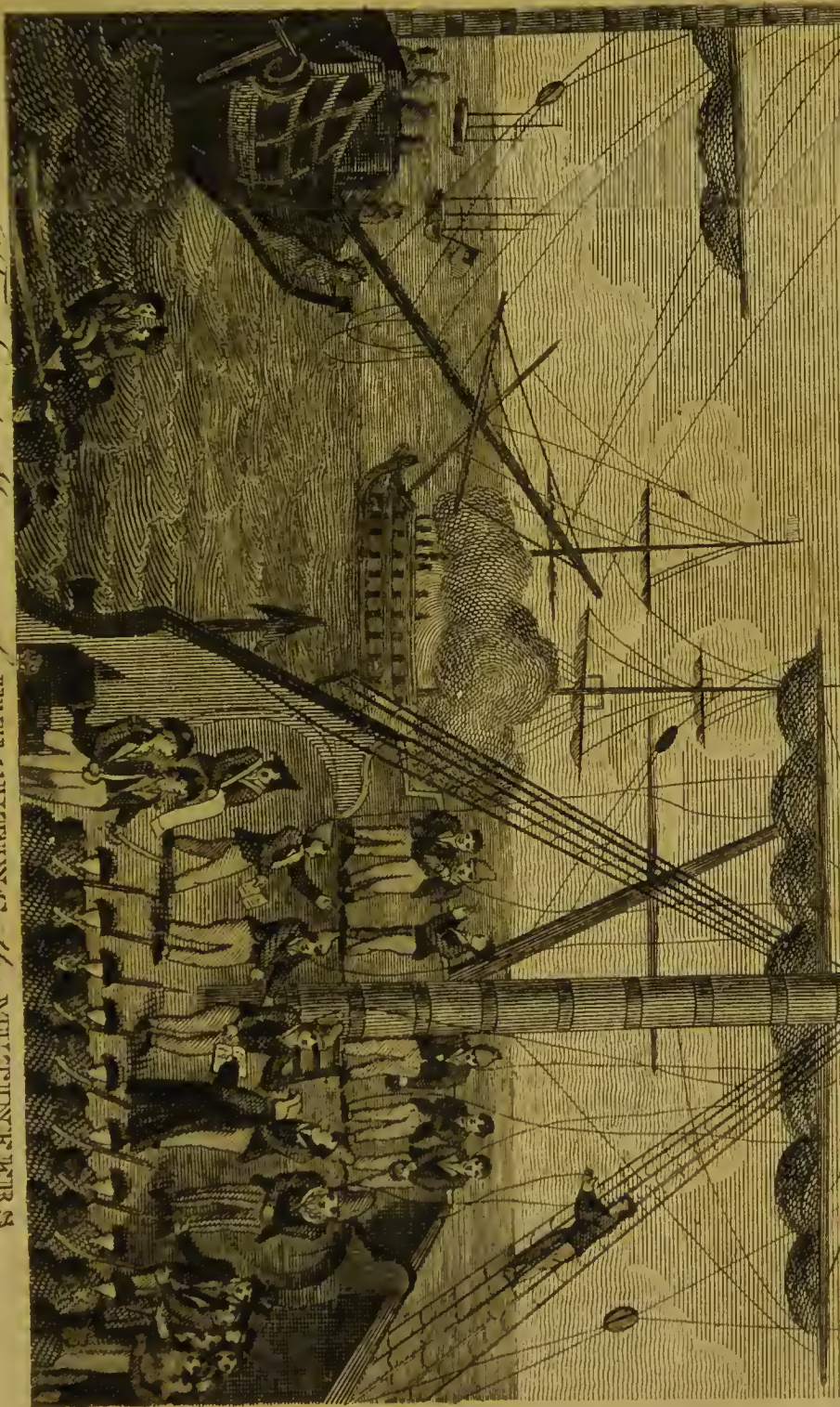
Chesterman then said "I hope they will allow a friend of mine to bury my body," and concluded by praying the Court to allow him a little time to prepare himself for eternity.

The President replied, "That does not rest with us, but with other authority."

Fitzgerald owned he had offended against the laws, but solemnly declared, that he never entertained any intention of committing murder.

On Friday morning, January 15, 1802, the yellow flags, the usual signals for punishment, were hoisted at Portsmouth, on board the *Temeraire*, *Formidable*, and *Majestic*, and the following prisoners, convicted by a Court Martial of Mutiny, and sentenced to die, were brought out to suffer death:—*Chesterman*, *Collins*, *Hilliard* and

*The Great Hammer of the MATTINGERS  
On Board the Temeraire, Majestic and Formidable at Portsmouth in 1802.*







and *Fitzgerald*, on board the *Temeraire*; *Ward* on board the *Majestic*; and *Mayfield* on board the *Formidable*. They appeared at the platform erected at the bows of the respective ships, deporting themselves with that apparent contrition and resignation which became them at a moment so awful. Their conduct during the whole period of their confinement had evinced the most perfect resignation to their fate, and a consciousness that their offence had merited it. They had availed themselves of the assistance of the Reverend Mr. Jones, Chaplain of the *Temeraire*. The manner in which they applied for his pious offices in their behalf, will best shew the state of their minds, their humility, and the calm composure with which they anticipated the dreadful hour. Their application was by letter, and in the following terms:

“GLADIATOR, Jan. 7, 1802.

“DEAR SIR,

We take the liberty of thus humbly begging you, in the name of the Lord our God, to attend us, and administer unto us, poor and miserable sinners, the word of our blessed Redeemer; as the state we are now in is of the most serious nature, our bodies not only being in danger, but our unprepared souls; therefore we humbly implore your assistance on this unfortunate occasion. Do pray not delay, as our time is now exceedingly precious; we therefore conclude, humbly begging your compliance.

your's, with humility,

UNHAPPY TEMERAIRES.”



“ *To the Rev. Mr. JONES,*

“ *His Majesty’s Ship TEMERAIRE.*

“ REV. SIR,

“ We are now ready to hear you open to us those treasures of wisdom, in whose Divine Author we desire to place our supreme confidence, and in whose service we wish to be found.”

When they came upon the platform a paper was presented by one of them in the name of himself and his unhappy comrades, which was read aloud to the ship’s company. It was as follows :

“ Remember your duty to God, and for his sake to your King and Country. You must be sensible what was the chief cause that brought on the fatal consequences which now end so unhappily for us, and with so much remorse to you, if you rightly consider how much you have contributed, by your support and countenance, to bring us to this untimely end.

“ We refused to put that trust and confidence in the wisdom of our rulers, which is due to them from all good subjects ; they watch for the welfare of us all ; and how dared we then prefer our own selfish pleasures and interests to what they saw necessary for the public good ! how could we find in our hearts to forfeit all the praises and the honours which our country had so gratefully bestowed upon her naval heroes, who have so bravely fought for her.

“ How could we so foolishly suffer our impatience to get the better of us, as, for the sake of a few months longer service, to sacrifice all the blessings of Peace we had been toiling for these nine long years.

“ Oh ! that we had made these reflections sooner

sooner ourselves! but our lot is cast—our course in this world is finished.—Make good use of what remains of your's,—It cannot be long before we must all meet again before the judgment seat of that God whom we have offended, but who, we trust, has seen and accepted our unfeigned repentance, and will forgive us as we do truly and freely forgive all those who have anywise offended or injured us. Prepare yourselves also, dear countrymen, for this forgiveness, that when we meet in the world to come, we may not meet in everlasting misery.—

“ Pray for us,—we heartily pray for you.

AMEN.”

After a few minutes spent in prayer, about eleven o'clock, the signal was given by the firing of a gun, when they were launched into eternity. They all behaved with the greatest fortitude. Chesterman solicited the favour of a glass of wine, which he drank with great composure.

PARTICULARS of the Trial, &c of JOHN ALLEN, EDWARD TAYLOR, GEORGE COMAYNE, GEORGE LIXON, JAMES RILEY, and THOMAS SIMMONDS for *Mutiny*, by a *Naval Court Martial*, held on board *His Majesty's Ship* the GLADIATOR, in PORTSMOUTH HARBOUR, January, 14, 15, and 16, 1802.

THE first evidence called for the prosecution, was James Richardson, whose testimony was precisely to the same effect as that given by him on the preceding trial. He swore that Taylor was the writer of the letter which was handed

to Admiral Campbell, and that the prisoner came down when Fitzgerald and Chesterman were talking of throwing Hazard overboard in a bread-bag; Taylor, however, said, that he hoped they would be able to carry their point without committing murder. The witness never saw Taylor or Allen assist the officers in quelling the mutiny; nor did he ever hear any of the six prisoners say that they would not weigh anchor but for England.—On the Wednesday, he heard Taylor call himself a delegate, and speak of Chesterman as another.

John Anfrey deposed, that on Saturday, the 5th of December, he heard Allen say to Stevenson when they were drinking together, there would be blood shed before the week was at an end. Stevenson observed to the prisoner, that somebody might pay for it. The prisoner said, there was no fear; the best of them were men-of-war-men, and knew which way to go about it; but as to the *Johnny Newcomes*, they would know what to do with them. On the 1st of January, Taylor and Allen drank "Success to the British heroes;" and observed, that there was no fear advising them all to shake hands, and to stick to each other. On Sunday Allen began to lower the ports down, and he lowered the bow port but one, and desired them to bar the ports. He wanted to know where they were going, observing, that they were not willing to go out of the land—they would fight for their king and country, but now the war was over they would not go abroad. He heard Allen say on Sunday, that if any of the officers drew their arms, there would be blood shed. On Monday he saw him with Collins and Fitzgerald, and heard him ask if any of them were prepared for their detence?

Fitzgerald

Fitzgerald answered, yes, there is plenty of ammunition prepared for them, in case they should be obfireperous. Allen said, he was very glad to hear they had something for their defence. On Thursday, after the Admiral had read the letter on the quarter deck, Allen desired M Eash, the marine, to pick out two men, to let the Admiral know they were all of the same mind. He asked M'Evoy the same day if he thought any of the marines would come down and join them? M'Evoy said, he would answer for 20 or 24 marines. About five in the evening, when the uproar began, after Dixon called all hands up, Allen said, Now my boys, don't be afraid; stand true to each other. Dixon, when he went down the fore hatchway ladder, said to every one, All hands on deck, you b—s; bear a hand up; and he came up the main hatchway with a gang of about fifty hands to go aft and disarm the centries, to defend themselves on the forecable, and destroy those gentlemen. Among the mob, he observed Riley, Comayne, Kelly, Fitzgerald, and Chesterman; when they found the soldiers were under arms, they rushed forward, and called out, Deliver the prisoner. Dixon, Taylor, and Comayne acted in this manner. Riley said, no prisoner should be kept. Captain Eyles collared James Riley, and said, I suppose you are one of the ringleaders. He answered, D—n my eyes, I have nothing to do with the b—s. All the prisoners but Allen were present forward. Simmonds was there more busy than any of the rest; they all cheered. On Saturday, the 5th, he saw Thomas Simmonds, and he said to Fitzgerald he should join the corps, and five hundred more, to put the marines to rights, in case they should turn treacherous. On Sunday, when the ports were lowered



lowered, he saw Thomas Simmonds try to unship the ladder. Mr. Douglas, the boatswain, had his foot on the ladder; Simmonds said to Taylor, I was very nigh breaking the b—r's neck; and Taylor sung out, kill the b—r, break his neck; and sung out for shot and crow bars. Simmonds, Taylor, Dixon, and Comayne, cried out for shot and crow bars. Riley wanted a gun to frighten the officers, but they never touched a gun to his knowledge. On Sunday night, about eight o'clock, Taylor went fore and aft, to see if he could find any crow-bars—he brought a crow-bar forward, and ordered the people, before they went to bed on the starboard bay, not to bring their hammocks up till they were piped up. On Monday, Simmonds said, he was very sorry he did not kill two or three of the gentlemen, when he had it in his power on Sunday the 6th, and he said, *he would sharpen and grind his knife* to get revenge; that his own comrades were gone out of the ship, and they were all guilty of the same crime. Riley, Dixon, and Comayne were there; Simmonds said, he would go and destroy the marines when they were fast asleep in their hammocks, and in case they could not go through with it, they would die together, and blow up together. Dixon knocked the witness down at the time, and told him he suspected him to be one of the reporters, and that he should not be able to tell what was going on before the work was at end; and Comayne swore by the H—y G—st and the V—n M—y they would get their revenge. All the prisoners took an active part as ringleaders. Riley spoke of smothering Mr. Staunton in his bed. The whole of the prisoners said, they would not go to the West Indies.

Thomas Spencer said, Allen was cockswain of the first cutter at the time that Captain Valleek was talking to the marines? He ordered M'Eash underneath the fore-castle, to go and pick out one man in the marines to speak to the serjeant-major, to tell Captain Valleek that all the marines are to be of one mind on the scamen's side, if such a thing happens again; then the Admiral will see plainly the marines will not stand true to their captain. M'Eash went away; but whether he went to the serjeant-major I don't know. On Monday or Tuesday, he said to Walker, belonging to the waist, that he would kill Blake, the boatswain's mate, the first opportunity. On Tuesday, the 8th, he saw Taylor in his birth, with the other prisoners, having a book on the table, a sheet of paper, and Taylor writing on it. On Sunday, as soon as the officers called out to fire, Taylor cried out, Fire and be d—n'd, and called for shot and crow-bars, and said, kill them! kill them! kill the b—rs! When lieutenant Forfar ordered two or three of the mid-ships to haul up the ports, he went and stood on the fore gratings: Taylor went on the fore gratings, and ordered the people to lower them again. Lieutenant Forfar made a push at him, and he jumped over to the other side. I saw him try to make a snatch at lieutenant Forfar's sword. I saw Comayne always with them. Taylor, Dixon, and Simmonds, I saw on the fore-castle at the time of the disturbance. On Thursday night, as he was coming up the fore ladder, he heard Dixon sing out, All hands upon deck! all hands upon deck! He saw him on the fore-castle on Thursday night, at the time the people gave three cheers. He cheered too. He saw

Riley speak to Fitzgerald underneath the fore-castle, on the starboard side. He said he had been tried by a Court-Martial once before, and he would be tried again, before he would go to the West Indies. On Sunday when the ports were lowered down, Cook sung out unship the ladders. Simmonds ran to the main ladder, and tried to lift it up but could not; then he ran to the fore ladder and lifted that up, and sung out, when the officers came on the lower deck, kill them! kill them! kill the b—rs! He generally saw Comayne with a mob of people, active in the midst of them with the ringleaders.

Mr. Douglas, the boatswain, said, that after Captain Eyles came forward from carrying the first prisoner aft, they got a gangway made among the ship's company for the Admiral and captain to walk forward. Captain Eyles walked forward till he came to Riley; he looked at him, and said, you d—d rascal, what brought you here? Riley replied, in a mutinous manner, with his arms across, I'll be d—d if I know: I'll be d—d to hell if I know. Captain Eyles said, I know you to be a d—d rascal, and turned round to walk aft.—This witness saw Comayne on the 6th, forcing forward among the ship's company, he heard his voice, but could not distinguish what he said. From the 1st, to the 11th, he saw all, except Simmonds, passing among the ship's company.

John M' Eash said. the first time Allen spoke to him was on the forenoon of Saturday; he said Admiral Lord Nelson was in Leith Roads, and they were trying to go to the West Indies, and the people said they would not; and he hoped the ship's company would go the same way. He wanted him to go and pick a man out, to tell the

the serjeant major that the marines were in the same mind as the sailors. Afterwards, in the galley, Allen came to him again, and asked him if he knew if the marines were determined to stand the same way as the sailors? He told him, he could not depend upon any man, and that I did not hear any thing about it among the marines. He said, they were determined to have a row that night, and if the marines should fire among them, they must take the consequence of it; if they did, they would soon get a gun on the lower deck. No one was present at this conversation.

Benjamin Blewitt heard Allen say, the night before the hands were turned up, that there were seventy-five marines, all their names down, ready to come down.

Michael Fielding's evidence went nearly in corroboration of that of the foregoing witnesses. Being asked when lieutenant Douglass came down, if he heard any one say any thing about matches? he answered, that to the best of his recollection, Riley said so; he knew his voice; he cried out wad and shot!

The Court was now cleared, and deliberated for a considerable time. When strangers were re-admitted, which was between five and six o'clock, the prisoners were informed the prosecution against them was closed, and that the Court, in order to give them an opportunity of preparing for their defence, would adjourn till half past ten to-morrow morning.

Taylor then addressed the Court as follows:—  
“ I have nothing to expect but death—I have deserved it by my conduct, and the breach of naval discipline I have been guilty of; but I am



prepared to die, and I sincerely hope, the Court will allow me time to make my peace with God."

On Friday, (the second day,) the prisoners were called on for their defence: none of them delivered in any written ones.

For the prisoner Allen appeared Durford Stevenson, who said he never was in the birth drinking after hours, nor he never heard him drink a seditious toast in his life. He heard him say a certain number of marines had sent their names to the lower gun-deck to join the mutineers, and that the people forward were talking of barricading the ship with hammocks; but if they would take his advice they would let it alone; it with a very unjust thing.—From the 1st, to the 11th of December, he never heard the prisoner say he would not go out of the land; he never recollected him ever expressing at any time that he was not concerned with the mutineers, or did not wish to give them assistance. From the 1st to the 11th, he did not see any one of the six prisoners assist the officers in quelling the mutiny.

Thomas Gladman's evidence was nearly similar to that of Stevenson's.

The prisoner Taylor said, he only wished to clear up the offence imputed to him of intending to hurt some of his officers; with that view he called lieutenant Douglas, who recollected upon the fore ladder being unshipped, some man offering his hand to assist him in getting his leg from between the ladder and the cable. Some man, he believed it was Taylor, said, if you will go upon deck, we will go upon deck. He believed and is almost certain, it was Taylor; but he considered Taylor as one of the principal mutineers,

mutineers, having been particularly active upon all occasions.

Lieutenant Forfar said as he was standing by one of the port tackle sails, on the larboard side, Edward Taylor made an attempt to come across the hatchway, and looked forward, and said something that he considered meant the ship's company were to prevent his hauling the port up. He put his hand to his sword, and the prisoner went back again. He went to look for him, but he got among the crowd, and he saw no more of him till he got on the quarter-deck; he appeared much agitated, as if he had been in a passion. He considered him as one of the most active in preventing the officers from hauling up the ports.

PRISONER.—This is all the evidence I have to offer, I hope my behaviour to lieutenant Douglas will convince the Court I could have had no intention of injuring him.

For the prisoner Comayne, William Miles said, he never saw him in company with any but his birth mates: he was generally in his birth reading a book.—He never heard him swear by the H—y G—ft and V—n M—y he would have his revenge, in company with these people. He has often heard him persuade persons to keep their tongues quiet, and have nothing to do with this business. He means from the time the ports were lowered down, and frequently since that; and he saw him aiding and assisting the officers.

Thomas Williamson gave evidence nearly similar to the foregoing; and several other witnesses bore favourable testimony to the conduct  
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of Comayne. He frequently advised the men to assist the officers.

For the prisoner Dixon, the evidence of George Beach was nearly similar to that brought forward by Allen.

For the prisoner Riley, the evidence of William Lightburn was of the same description.

On Saturday, the third day, George Anderson appeared for the prisoner Simmonds, who said he never saw him forward in the starboard bay no further than where he slept, nor never heard him make use of any bad expressions.

RILEY.—I have done my duty in a boat since this affair has happened, and have been often ashore ; and, if I had not thought myself innocent, it was in my power to have escaped coming to a Court-Martial.

COURT—Perhaps you supposed you might not be taken up ?

Q. *By captain BERTIE to COMAYNE.* Was you not in the Renown ?—A. Yes.

Captain BERTIE.—I know nothing of him to his disadvantage. He was removed not for any fault, but by the surgeon, in consequence of a strain he got. I always considered him a very seaman.

Admiral CAMPBELL.—I took notice of Allen as cockswain, and thought he did his duty remarkably well. His behaviour induced me to make enquiries as to his conduct in general ; I was informed he was a good, a trusty man. I used to tell captain Eyles there was no necessity for sending any of the young officers in the boat with him. When I was told that Allen had been active in the mutiny, I repeatedly asked if  
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it was the same man who was cockswain; I was quite surprised when I found it was.

ALLEN—I am innocent. Nothing was ever before charged against me; I was always steady to my duty.

TAYLOR—I am guilty of the greater part of the charge. I have been unhappily hurried away without thinking. At the time the affair happened, I was not twenty-one years of age, I had a good character in the ship before this transaction. I wish to call Lieutenant WALSH to speak on my behalf.

Lieutenant WALSH.—I always saw Taylor do his duty, but conceived he was a suspicious character.

COMAYNE requested Mr. WALSH to speak to his character.

Mr. WALSH said, he had been diligent and done his duty; he never knew any thing against him.

DIXON—I have no question to ask Lieutenant Walsh. I am a very young man; I hope that will be taken into consideration.

Lieutenant WALSH, upon being referred to by Simmonds for a character, said, he had always been a very attentive fellow.

COMAYNE.—I know there is no merit in a seaman's doing his duty; but I hope I may be allowed to mention that I have been eleven years in his Majesty's service, and never during that time got a cat on my back, or an ill word, or was struck by any of my officers.

After deliberating above three hours, the Judge Advocate, in the same form as on the last trial, read the Sentence, declaring *Allen, Taylor, Dixon, Riley, and Simmonds*, GUILTY of the Charges against



against them, and awarding the Judgment of DEATH; and *Comayne* in part guilty, and ordering him to receive 200 lashes.

The Prisoners all exclaimed—" *The Lord's will be done!*"

TAYLOR—I hope we shall be allowed to make our peace with God.

PRESIDENT—It does not rest with the Court, it depends upon a superior power.

DIXON requested Admiral Campbell would come to him, and hear what he wished to say. The Admiral immediately went towards him.—“ Look at this Paper,” said Dixon, while the tears flowed from him, “ I have a wife and a child; see if this will have any effect in their favour when I am gone. The Lord have mercy on my soul.”—It was a will, bequeathing his property to his wife. He declared his innocence of some of the charges against him, but confessed he was the man who unshipped the main ladder.

TAYLOR gave the Judge Advocate his will in favour of James Brand, a seaman on board the *Temeraire*; he was assured it would be delivered safe.

These five mutineers who were sentenced to suffer death, were mostly youths under 20 years of age, and were executed January 19. They all died extremely penitent; and we trust their example will be a warning to posterity.

There is no crime which calls more loudly for vengeance than Mutiny. Malice, ambition, and every wicked passion, are the latent seeds from whence it springs. The *Wooden Walls* of England are her glory and defence; and who are more deserving of public favor than their supporters—our brave tars? But that tar, who re-  
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fuses his support, and forsakes his duty, forsakes also his God, his Country, and his King!

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*The remarkable Trial, at full length, of SARAH PETTIT, at the OLD BAILEY SESSIONS, Feb. 24, 1802, for feloniously Stealing a quantity of Sheets belonging to various Publications; with an introductory Narrative of the Particulars which led to a discovery of the Crime, and the apprehension of the Offender.*

MR. Thomas Kelly, Clerk to Mr. Hogg, Bookseller and Publisher, of Paternoster Row, on his return from Brick Lane, Spitalfields, where he had been transacting business, on the 14th of January, 1802, observed lying in the shop window of Mr. Davis, Cheesemonger, No. 5, Lamb Street, Spitalfields, some sheets of Dr. Wright's Family Bible; and naturally suspecting that they could not have been honestly obtained, was induced to enter the shop, and ask Mr. Davis if he had any more of the paper which he saw in the window? He replied in the affirmative, and produced several of the same sheets belonging to the same work. Mr. Kelly having examined these sheets, and perceiving that they had not been stitched, remarked to Mr. Davis that it was palpable they had never been sold, and consequently must have been stolen. He then told Mr. Davis that they belonged to a particular friend of his, and requested him candidly to acknowledge by what means he procured them; observing, that it was his duty as a tradesman to disclose every thing he knew, in order to bring to justice the offender or offenders. Mr. Davis, without  
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the least hesitation, declared that he had purchased them, and large quantities of paper as waste, from time to time, of a woman, from whom he had been in the habit of buying such kind of paper upwards of seven years.

On being asked if he knew the person, and could find out where she lived, he replied that he only knew her personally, being unacquainted with her name and place of residence; but he was certain that she lived in his neighbourhood, as he almost daily observed her passing his shop; and as she occasionally called in and bought some small articles in his way. He promised his endeavours to find where she lived, by watching her home the next time he saw her. He described her person, remarked that she was elderly, rather short, of a fair complexion, and wore generally a dark red cloak;—that whenever she brought the paper to sell, he understood that she sold it for another person, as she was always very particular in having the weight and price put on a piece of paper, and that there having been a mistake of a few pence in reckoning up the price of the last parcel, she came back to have it rectified, which circumstance more fully established his opinion that she acted for another.

Mr. Kelly then begged to know the weight of the last parcel, and the sum he paid her for it. Hereupon Mr. Davis turned to his day-book, and having looked back, he found it was on the 26th of October, 1801, when she brought the last quantity which weighed 174lb. for which he paid her 3d. per pound, amounting to 2l. 3s. 6d.

Mr. Kelly, very much astonished at this incredible quantity, observed to Mr. Davis, that the loss thereof was of very serious consequence to the person to whom it belonged; particularly

as every sheet of the bible which was thus destroyed, rendered a whole set of the work, (value 4l. 8s.) imperfect: whereupon Mr. Davis remarked that the woman had told him several times; that her brother was in the printing line, and that the paper which she brought to sell, was waste, being perquisites and belonging to him, and that three or four times a year, (more or less,) there was a *clearance*, every time that she brought a quantity to him. She was sometimes assisted in carrying it by a boy.

Mr. Kelly looking round the shop perceived at the further end, a long large shelf loaded with a considerable quantity, which having immediately examined, to his extreme mortification, he found it to be Mr. Hogg's property, consisting of whole quires, parts of quires, loose sheets, copper-plate prints, and covers, belonging to the following publications: viz. Howard's New Encyclopædia, Dr. Wright's Family Bible, Bradshaw's Josephus, NEWGATE CALENDAR, Grose's Antiquities, Mason's Pilgrim's Progress, Priestley's Family Bible, Spencer's History of England, Dr. Wright's Life of Christ, &c. &c. &c. He then requested permission to take with him a few sheets of the bible, &c. published by Mr. Hogg. As during his stay he had seen Mr. and Mrs. Davis tearing this paper occasionally in order to wrap up their goods, cheese, butter, &c. he requested that they would immediately desist, and carefully put it by, together with the rest, as the loss of a single sheet was, as he had already observed to him, of material consequence to the proprietor; and he assured them that they should hear from him in the course of the day.



Mr. Kelly, on his return home, related every circumstance of this unfortunate affair to Mr. Hogg, to whom he also shewed the sheets which he had brought with him for that purpose. Mr. Hogg was exceedingly hurt at this discovery, and after some consideration, sent for Mrs. Mary Pettit, who was the only person who had been entrusted for many years past to fold up and stich his various publications for sale, and of whose honesty he had always entertained so high an opinion, that no regular account was ever kept of the quantity of books entrusted to her care.

From the description and weight of the paper at the cheesemonger's, he was certain that it must have been taken or stolen from her house. On disclosing the affair to Mrs. Mary Pettit, her appearance strongly indicated her innocence; and, as required, she gave the names and dwellings of the several women she employed, none of whom, she declared she had ever suspected of dishonesty. On being further and repeatedly interrogated, she confessed there was one of the name of Sarah Pettit, (her husband's own sister,) who lived in Spital Fields, and the description of this person, and the place where she lived, immediatly gave Mr. Hogg cause for suspicion. On being asked the exact place of her residence, Mrs. M. Pettit said, that she could not at present ascertain it, but on Mr. Hogg's declaring he must know, she said she would make diligent enquiry, and that, if he pleased, she would bring her to him. She also added, that her sister-in-law only came to her house occasionally to chair—that she was very much disliked by her brother, who threatened to prohibit her his house, but that humanity prompted

prompted her to see her now and then, and render her all the assistance she could afford her.

About nine o'clock that night, Mr. Hogg, with Mr. Kelly, and Mr. Gill, (servant to Mr. Hogg,) went in a coach to Mr. Davis's, when Mr. Hogg, at sight of his property, was very much affected at the quantity, assured Mr. Davis that he had been robbed to a very considerable amount, and from the length of time which he had confessed that he was in the habit of buying these parcels, he must have sustained many thousand pounds loss; and therefore was determined to bring the offenders to justice.

Mr. Davis willingly gave up the paper, on Mr. Hogg's paying him at the rate of 3d. per pound, which he gave for it, and the quantity thus recovered, amounted to 124 pounds, which was brought away in the coach. Though Mr. Hogg might have taken away his property being stolen, without payment, yet not chusing to incur delay, its immediate recovery being of great consequence to him, he submitted to pay Mr. Davis the sum of 1l. 11s. whom, on account of his candour, he did not choose to involve in a prosecution, as a receiver of stolen goods.

The next day Mrs. Mary Pettit, agreeable to her promise, brought her sister-in-law, Sarah Pettit, to Mr. Hogg's, at whose shop she saw the property, and confessed that she had taken it by degrees from her brother's house, and said, that her sister-in-law had occasionally given her leave to take some waste paper, which Mrs. M. Pettit partly denied, and expressed much astonishment at finding so many whole quires, and perfect numbers taken away from her workshop, and earnestly importuned Mr. Hogg, (crying

and fainting alternately,) to overlook the offence for fear it might come to the knowledge of Mr. George Pettit, as it would undoubtedly cause a separation between her and her husband, to whose house she threatened she never would go home again, if Mr. Hogg did not forgive her sister-in-law; and in return, she promised she would work for him night and day, without any recompence—she even went so far as to threaten to put an end to her existence, and used every artifice in her power, to obtain his lenity and forgiveness.

Mr. Hogg considering the several repetitions, and enormity of the crime, and the consequent heavy losses he must have sustained, could not, in justice to himself and the trade, listen to her repeated importunities; particularly as he had discovered intermixed with his property, several parts of publications belonging to Messrs Phillips, Button, Taylor, Williams, Griffiths, &c.—to whom he immediately sent, and who having attended and inspected the paper, were unanimously of opinion, that a prosecution was absolutely necessary. A constable was therefore sent for, and in the mean time, Mrs. M. Pettit, finding her intreaties had no effect, went home to break the matter to her husband, who soon after came: he behaved in a most outrageous manner, and, in vulgar opprobrious language, reflected not only on the character of a respectable bookseller in St. Paul's Church-yard, but of others present; and having boasted of his own responsibility, said he would not only bail his sister, (as his name would pass for any sum,) but likewise see her safe through her trial. Little attention however was paid to his extraordinary behaviour,

haviour, particularly unsuitable to this serious occasion, as it was considered by all present to be the effect of intoxication. On reflection, he implored Mr. Hogg to suffer his sister to go home for that night to his house, and that he would positively produce her the next morning to the constable: at length, Mr. Hogg agreed to his request, assuring him that if she was not forthcoming the next day he should also be prosecuted for damages for goods stolen from his premises, which had been committed to his care. Mr. Pettit, conscious of Mr. Hogg's humanity, in acquiescing with this request, notwithstanding his previous vulgar and improper behaviour, doubtless thought he might prevail on him to extend it; accordingly he waited on him early the next morning, and used every solicitation to procure his sister's pardon, and through the means of his wife, offered an hundred pounds, and every service in his power, to have the business smothered: but finding all entreaties unavailing, agreeable to his promise he delivered up his sister, who was accordingly brought before Mr. Alderman Leighton, to whom she confessed, as she had done in Mr. Hogg's shop the preceding evening, that she had stolen the paper from her brother's house. Mr. Alderman Leighton expatiated on the enormity of her crime, and expressed much sympathy on Mr. Hogg's account, who, as it appeared to him, must have been a considerable sufferer, and admitted that he had absolutely lost a fortune by the wretch at the bar. He then desired that Mr. Hogg's property should be separated from that of the others, carefully weighed, and to be brought before him the Tuesday following. His orders having been strictly adhered to, Mr.

Hogg's



Hogg's property was found to weigh 82 pounds, the rest being the property of different people already mentioned.

On the second hearing which took place before Mr. Alderman Shaw, Mr. Davis the cheefe-monger having deposed, that he had paid the prisoner at various times several sums exceeding, he was certain, 10*l*. she was therefore fully committed for trial; and as soon as the parties bound to prosecute, had entered into recognizance to appear the next sessions, Mrs. Mary Pettit on this occasion thought proper, to the surprise of the whole Court, as well as all persons present, to come forward, and earnestly solicited the Alderman to accept bail, as she had brought with her some friends for that purpose, but she was not only peremptorily refused, but severely reprimanded for having taken so little care of the property she was entrusted with, and suffering such large quantities of books belonging to her master to be thus shamefully sacrificed.

Finding it was thus determined that the law should take its regular course, she called on Mr. Davis, and soon after repeated her visit, for the purpose of insuring his silence with respect to former purchases; earnestly intreating him for God's sake to speak of the present, when called on by the Court, in as light a manner as possible, or otherwise it would be the total ruin of her and her family. This Mr. Davis communicated to Mr. Hogg, and was of opinion that Mrs. M. Pettit had some very particular reasons for this extraordinary conduct: not wishing to appear in Court, she now kept out of the way, till hearing that if she did not come forward, she  
would

would be indicted as a party concerned; she then, by the advice of her friends, made her appearance, and was subpœnaed in due form.

Mr. Hogg, uneasy about his property, which was still remaining in Mrs. M. Pettit's possession, took the earliest opportunity of making a *thorough clearance*, by getting the whole from Mr. Pettit's house, an account of which being taken, was estimated, at prime cost, to be worth near One Thousand Eight Hundred pounds.

Previous to the trial, a number of bookbinders and stitchers, of the lower order, were subpœnaed to hold out to the Court, that it was customary in the trade to make a perquisite of parts of books and call it waste paper; whereupon, the prosecutors, by the advice of their attorney, subpœnaed several of the most respectable book-sellers, &c. to contradict this vile assertion; and as it appears in the trial, this assertion was not only contradicted, but it was forcibly pointed out that all waste paper is the master's property, for undoubtedly any overplus must, if withheld, render deficient other works; and it is at the particular request of the Trade, that this trial should be added to the present collection, that it may be universally read by bookbinders, stitchers, &c. and be a warning to all who are entrusted with property of this nature, to be duly honest and attentive, and faithfully return to their employers the duplicates of sheets, copper-plate prints, &c. which, in the hurry of business may be given.

The publisher hercof being certain, as the prisoner had, according to her own confession, purloined his property by degrees, she must have had some secret place, where the bundles were deposited, till they accumulated to the weight

weight of 100 to 200 (as Mr. Davis had informed him that the last parcel for which she was tried and found guilty, was not the largest, for he recollected having paid her near 5*l.* at one time,) and suspecting that another parcel had been nearly accumulated since the discovery made on the 14th of January, of the parcel sold on the 26th of October (the space of nearly three months,) with which, no doubt, she would have visited her old friend Mr. Davis, had she not been fortunately stopped in her career. Mr. Hogg therefore deemed it necessary to print bills and post them in the most conspicuous places of Spitalfields, and elsewhere, cautioning all cheesemongers and buyers of waste paper against purchasing any paper of the above description, and recommending to them to have always sufficient knowledge of the persons with whom they deal, and of the property they purchase of them as waste paper: in which bill he offered a reward of FIFTY POUNDS, for the discovery of any hidden property as above specified.

Having thus far apprized our Readers of this strange but fortunate discovery, we shall now proceed with the Trial which we shall give at full length, and which came on at the Old Bailey Sessions, Wednesday, February 24, 1802. The indictment was stated by Mr. Shelton, and consisted of two counts, First,

She was indicted for feloniously stealing on the 26th of October, 82 pounds weight of paper at 20*s.*—three numbers of a certain periodical work, called Doctor Wright's Family Bible, value 1*s.*—Two Numbers of a certain periodical publication, called the Naval Magazine, or, Maritime Miscellany, value 9*d.*—and One  
Num-

Number of a certain periodical publication called the Ladies Pocket Magazine, value 4d. the property of Alexander Hogg.

Second Count, charging them to be the property of George Pettit.

*Mr. Gurney.* May it please your Lordship, and Gentlemen of the Jury, The indictment you are now to try, imputes to the prisoner at the bar the offence of stealing some numbers and quires of books, which are charged to be the property of Mr. Hogg; and, in another count, the property is stated to belong to George Pettit. Gentlemen, Mr. Hogg is a bookseller and publisher in Paternoster Row, who publishes many works in periodical numbers; and, for the purpose of publications of that sort, it is necessary that a number of persons should be employed as stitchers. For nearly two years past he has employed a woman of the name of Pettit, who is the sister in law of the prisoner, and in whom he has reposed a great degree of confidence, she having worked for him a considerable time. He had suffered her frequently, instead of bringing them all home at one time, to bring them home as they were wanted: and it has been discovered that a number of things put into her care have been deficient; but he had no suspicion of her dishonesty. Gentlemen, you will find that a very large quantity of these publications was found in the possession of a Mr. Davis, a cheesemonger, near Spitalfields.—Upon being enquired of, he stated at once, that he got them from the hands of the prisoner at the bar: who, I should state to you, had been employed by her sister to assist her in her domestic concerns, and availed herself



of that opportunity of taking them from the house of her sister to the house of Mr. Davis, where she sold them for waste paper. Gentlemen, the mischief produced by this depredation is infinite, because each of these sheets rendered every copy of the work incomplete, and consequently of no value at all. These have not been stitched, and therefore it is impossible to say they have been out in the world and sold. I shall prove that no single number does go out of his house but in a stitched state;—besides which, I will prove to you that which will remove all doubt from your minds, if any doubt could remain, that she has confessed, without any promise, without any thing being said to her that could induce such confession, that she stole them by little and little at a time. Gentlemen, we have here about eighty pounds weight of paper, among which you will find, besides several distinct numbers of Dr. Wright's Family Bible, whole quires of books published by Mr. Hogg; and therefore it will be impossible to set up a defence, that they are waste sheets, or that they have been sold fairly to the public. Gentlemen, I shall trace them from the possession of Mr. Hogg to the hands of Mr. Pettit, and from thence to the shop of Mr. Davis, where it will be proved she disposed of them as waste paper, for a tenth part of what they were worth; and that she afterwards confessed she had taken them from her sister's.—When I have proved these facts, it will be impossible for you to hesitate in pronouncing a Verdict of Guilty.

EVIDENCE

EVIDENCE FOR THE CROWN.

ALEXANDER HOGG *Sworn.—Examined by Mr. GURNEY.*

Q. I believe you are a bookseller and publisher in Paternoster Row?—A. I am.

Q. Had you employed any person of the name of Mary Pettit to sew up your publications?

A. Yes, for many years past—numbers of various publications.

Q. Had you employed her to sew up any numbers of Dr. Wright's Family Bible?

A. Yes, many thousands.

Q. Any of the Naval Magazine?

A. Yes, many thousands—thousands of all of them.

Q. In what state were they delivered out?

A. In quires.

Q. When they were returned, they were returned in numbers, I believe?

A. Yes—sometimes, when there was an overplus, they were returned unstitched.

Q. Do you ever sell any of them in quires?

A. No, never.

Q. Can any of your publications therefore regularly go out of your shop in quires, except for the purpose of being stitched?—A. It is impossible.

Q. In consequence of any information you received, did you on the 14th of last month, go to Mr. Davis, a cheesemonger?

A. Yes, I did in a coach, about nine o'clock in the evening, with Mr. Kelly and Mr. Gill.

Q. Did you there find any quantity of your publications?

A. We found, on examination, 124lb. weight of paper, which I got back again, and paid him at the rate of three-pence per pound for.

Q. How much of that was your's ?

A. Eighty-two pounds.

Q. You have it here, I believe ?

A. Yes, there is enough to render three or four hundred pounds worth of books imperfect ; here is a part of the Newgate Calendar, a remarkable thing, which the lady took ; and some of Howard's Encyclopedia.

Q. Was it in sheets, or in quires ?

A. There are quires of various signatures belonging to Dr. Wright's Family Bible.

Q. Are there any Numbers of Dr. Wright's Family Bible ?

A. Yes, Three Numbers, but I suppose there were more.

Q. Are there Two Numbers of the Naval Magazine ?—A. Yes.

Q. Are there Two Numbers of the Maritime Miscellany ?—A. That is the same thing.

Q. Are there any Numbers of the Lady's Pocket Magazine ?

A. I suppose there were more, but we know of but one.

Q. You say there is 80lbs. weight of paper, are you quite sure that none of those things had been sold from your shop ?

A. I am as certain as I live, I have not the smallest doubt of it.

Q. Did you see the prisoner at the bar, that day, or the day but one after you made this discovery ?

A. The day after, about 4 o'clock in the afternoon.

Q. Before I ask you what passed between you and the prisoner, did you make her any promise of favour, or tell her it would be better for her if she confessed ?—A. No such thing.

Q. Nor threaten her?—A. No.

Q. Tell us then what passed between you and her?

A. She was Four or Five hours in the shop.

Q. Did you ask her any questions?

A. I went and asked her several questions, to be sure.

Q. Did you ask her any questions about the paper found at Davis's?—A. Yes, to be sure.

Q. What did she tell you?

A. She told me she stole them by degrees.

Q. From where?

A. From Mrs. Pettit's house, No. 32, Angel Street; a parcel from this place, and a parcel from that, and so tied them up she said, in parcels, and put them in her apron and carried them to a receptacle, where she kept them till they accumulated to a large quantity.

Q. Did she tell you the quantity she had sold to Davis?

A. No, not particularly, but a great quantity for several years.

*Cross-Examined—by Mr. KNAPP.*

Q. The prisoner was not employed by you?

A. No.

Q. But by her sister?—A. Yes.

Q. Her sister was a servant of your's?

A. No, I employ her to stitch publications; she has at this time a large quantity to do up.

Q. Is she here to day?—A. I suppose so.

Q. Does any body else sell things in your shop but yourself?—A. Yes.

Mr. GURNEY.—Q. Have you had things returned that you suspected to be imperfect?

A. Yes.

Mr. KNAPP.—Q. I understood you to say, the prisoner is employed by her sister?



A. She is employed by her to char for her.

Q. Other persons serve in your shop ?

A. Yes, surely.

Q. Are any of those persons here ?—A. Yes.

Q. All of them ?

A. No, here is Mr. Kelly, my clerk.

Q. There are persons who serve in your shop, but who are not here ?

A. At this moment they are not here.

Q. If there are persons who are not here, and who serve in your shop, will you venture to swear for them, that they have not sold this paper ?

A. Yes certainly, I say it is impossible to be so—I say, upon my oath, it is impossible.

Q. You say, upon your oath, they have not sold these articles ?

A. Certainly, it is impossible.

Q. There is a perquisite of waste paper in the trade, is there not ?—A. No, by no means.

Q. You don't know of any perquisite arising to your servants, from waste paper ?—A. No,

Q. Nor ever heard of it ?—A. No.

Q. You don't know that there is a custom of that sort in the trade ?

A. I know there is not.

Q. You said Mrs. Pettit, the sister, is here to-day ?—A. Yes, I understand so.

Q. From all you know about it, you believe the prisoner was employed by Mrs. Pettit, merely as a char-woman ?—A. I heard so.

COURT.—He cannot say that she took the things home to sew—this was a person whom you employed to sew up your books and pamphlets, and you gave her a large quantity to sew up together ?—A. Yes, exactly so.

Mr. KNAPP.—Q. You stated there was no promise held out ?

A. None in the world, as I know of.

Q. Upon your oath did you not make her a promise, and tell her it would be better for her?

A. No.

COURT.—Q. Was any such thing done by you?—A. No, by no means.

Mr. KNAPP.—Q. Was it made in your presence?—A. Not that I know of.

Q. You never heard of it?—A. No.

Q. Upon you oath, was any promise made in your presence?

A. Not that I know of—I say I did not hear any, nor do I know of any.

Q. Did not you hear any body make a promise?—A. I believe not.

Mr. GURNEY.—Q. Do you believe any was made?—A. I believe not.

MARY PETTIT *Sworn—Examined by Mr. GURNEY.*

Q. You are the wife of George Pettit?

A. Yes.

Q. Where do you live?

A. In Angel Street, Butcher-hall-lane, or St. Martin's le Grand.

Q. Have you been employed by Mr. Hogg to stitch pamphlets for him?—A. Yes.

Q. When you have stitched them, is it your business to return them?—A. Undoubtedly.

Q. The prisoner at the bar, is your husband's sister I believe?—A. She is.

Q. Has she had access to your house?

A. Undoubtedly she has, as being her brother's.

Q. Has she assisted you in stitching Mr. Hogg's publications at all?

A. No, she has not.

Q. Has she assisted you in your household work?—A. Yes.

Q. Have you stitched for Mr. Hogg, any of Dr. Wright's Family Bible?—A. Yes.

Q. Any of the Naval Magazine?—A. Yes.

Q. And some of the Lady's Magazine?

A. Yes.

Q. Had you missed any parts of those works from your house?—A. No.

*Cross-Examined—by Mr. KNAPP.*

Q. I understand the prisoner is your husband's sister?—A. Undoubtedly.

Q. And she was employed as a char-woman in your house?—A. Yes.

Q. Do you know any thing at all of either of those Numbers that are charged in the indictment, being in the possession of the prisoner?

A. Not at all, I know nothing about them—I gave the prisoner leave to take waste paper from my house, but as to Numbers I cannot conceive how they could come amongst waste paper.

Mr. GURNEY.—Q. Are quires like these waste paper?—A. No.

Q. Are Numbers waste paper?

A. We don't deem them when they are complete, as waste paper by no means.

*RICHARD DAVIS Sworn—Examined by Mr. GURNEY.*

Q. What business are you of?

A. I am a cheesemonger near Spitalfields.

Q. Did you purchase any paper of the prisoner at the bar?—A. Yes.

Q. When?—A. On the 26th of October last.

Q. I believe you delivered up a vast quantity of paper to Mr. Hogg?—A. Yes.

Q. Was that the paper you bought of the prisoner ?

A. That I cannot say.

Q. How much did you buy of the prisoner ?

A. 174 pounds.

Q. How much did you pay per pound ?

A. Three-pence per pound.

Q. You delivered to Mr. Hogg 120 pounds of paper ?

A. 124 pounds.

Q. What had become of the other 50 pounds ?

A. I had used it.

Q. Where did you put it when you bought it ?

A. On the shelf in the shop, under the window.

Q. Did it remain in the shop ?

A. Yes.

Q. Had what Mr. Hogg received remained on the shelf from the time you bought it ?

A. Yes, it had.

Q. Have you any doubt of it being the same you bought of the prisoner ?

A. I have not, because it is different from what remained on the shelf.

Q. It was in quires, was it not ?

A. I never noticed it in quires, it was not in the state it is now, it was tied up ;—it was rough paper of different sorts, what I call waste.

Q. Who has kept the paper ever since ?

A. The officer.

*Cross-Examined—by Mr. KNAPP.*

Q. I understand you to say, from the appearance now of the paper, you cannot venture to swear to it ?

A. I cannot.



MR. GURNEY.—Q. You cannot venture to swear it is the same, but you told me that paper which you bought of the prisoner remained on the shelf till you delivered it to Mr. Hogg ?

A. It did.

COURT.—Q. Did you enquire who she was ?

A. I understood when I bought it, that she had sold paper to the man who kept the shop before me ; she said she had friends in that way, and I bought it as waste paper.

Q. You took her word for it ?

A. I took her word for it—we buy paper of any body.

JAMES PEDDER *Sworn—Examined by Mr. GURNEY.*

Q. You are a constable ?—A. Yes.

Q. Have you got the paper belonging to Mr. Hogg, found at Davis's ?

A. Yes.

*(The Paper and Numbers produced.)*

THOMAS KELLY *Sworn—Examined by Mr. GURNEY.*

Q. Do you find there any Numbers of Dr. Wright's Family Bible ?

A. Yes, three Numbers.

Q. Are there any Numbers of the Naval Magazine ?

A. Yes, two Numbers.

Q. Have you examined all that paper ?

A. Yes, I have.

Q. Is it all Mr. Hogg's property ?

A. Yes.

Q. Had it been sold by Mr. Hogg ?

A. No.

Q. Was it in a state fit for sale ?

A. No.

Q. What does it consist of ?

A. Part of various publications.

Q. Is any part of it in whole quires ?

A. Yes.

Q. Does the loss of that, render any work incomplete ?

A. Yes, certainly, there is always an equal quantity of sheets printed.

Q. (*to Pedder.*) As you was taking the prisoner to the Counter, did she say any thing to you ?

A. Yes,—as I and the prisoner were returning from Guildhall to the Counter, she says to me, she should not mind it, had nobody known of it but herself.—I then asked her if Mrs. Pettit knew any thing of it ? she did not answer me—I asked if Mrs. Pettit partook of any of the money ?—she said no, and as for her brother, he was as innocent as the child unborn.

MR. GURNEY.—My Lord, that is the case on the part of the prosecution.

COURT.—Prisoner, this is the proper time for you to make your defence, what have you to say for yourself ?

PRISONER.—I leave it to my Counsel.

## EVIDENCE FOR THE PRISONER.

WILLIAM BOWLING *Sworn—Examined by*  
Mr. KNAPP.

Q. What business are you ?

A. A book-binder.

Q. Are you acquainted with the custom of the trade ?

A. As far as relates to book-binding.

Q. Do you know whether there is a perquisite of waste paper allowed?

A. There is a perquisite in our trade, speaking as a book-binder, and I suppose it goes to a greater degree in the stitchers.

Mr. GURNEY.—Is that waste paper? (*pointing to the parcels of paper in quires,*)

A. No, I don't think this is, in the state it is in.

Q. In what state is it waste?

A. Waste paper is paper that accumulates about the shop, rumpled and dirty.

FRANCIS PERRY *Sworn—Examined by Mr. KNAPP.*

Q. How long have you known the prisoner?

A. Nine years.

Q. What character has she borne all that time?

A. I believe her to be a very honest woman.

——MYNELL *Sworn—Examined by Mr. KNAPP.*

Q. What business are you?

A. I am servant to Mr. Phillips, and was sent by Mr. Phillips to look over the paper; I went to Mr. Hogg's, and he said I should not see it—it was tied up, and looked to me to be a parcel of rubbish.

COURT.—Take care what you say.

Mr. KNAPP.—Q. Was that the impression on your mind?

A. Yes.

Q. Was it shewn to you as being the paper that came from the cheesemongers?—A. Yes.

COURT.—Q. Look at that paper; upon your oath, do you mean to say that is rubbish? You have already gone too near the wind!

A. I did not see this paper—I saw four or five bundles, I only saw the outside, they would not let me open it.

JOHN ANDERSON *Sworn—Examined by Mr. KNAPP.*

Q. What business are you of?

A. I am a book-binder.

Q. Do you know the prisoner?—A. No.

Q. Do you know of any custom there is in the trade, arising from perquisites?

A. There is a deal of waste paper accumulated in the trade, from sheets damaged, and so on.

Q. Whose perquisites is it?

A. Some persons in the trade give it to their boys.

*Cross-Examined—by Mr. GURNEY.*

Q. Do you know any thing about the custom as to fitchers?—A. No.

Q. Is that waste paper, or any thing like it?

A. No—I cannot say.

Q. Don't you know it is not?

A. It would be of no other use to me.

*(Four witnesses were called, who gave the prisoner a good character.)*

*Mr. Common Serjeant.* “Gentlemen of the Jury, The prisoner at the bar stands indicted for a single felony in stealing on the 26th of October, 80lb. weight of paper, Three Numbers of a certain periodical publication called Dr.



Wright's Family Bible, and likewise, Two Numbers of the Naval Magazine, and One of the Ladies Pocket Magazine.

Gentlemen, Mr. Hogg tells you he is a publisher in Paternoster Row, that he employed Mary Pettit to sew up the Numbers he published of Dr. Wright's Family Bible, and that he delivered them in quires to her for the purpose of being sewed, but for no other.—He says that having information respecting a part of this property, he went to Mr. Davis's, a cheesemonger in Spitalfields, and there found a large quantity of paper, 82lbs. of which he knows to be his property—he says, the loss of those different parcels spoiled between Three and Four Hundred Pounds worth of different publications; that those quires were never sold in his shop, and that the prisoner, without any promise or threat, said, she had taken them by degrees from Mrs. Pettit's house, and had sold them.—Upon his cross-examination, he said, he never employed the prisoner, but that he employed her sister-in-law, and he understood she employed the prisoner as a char-woman—He was asked whether other persons served in his shop beside himself? he says yes, but they could not sell them in this state—then he says there was no promise made by him to the prisoner, or by any body else in his presence.

Gentlemen, the next witness is Mary Pettit, who says she was employed by Mr. Hogg, the prosecutor, to stitch up various periodical publications, which were delivered to her; that the prisoner as being the sister of her husband, had free access to the house, but did not assist her in stitching the books—she says she cannot con-

ceive how Numbers or quires are waste paper—it is clear to me, they are not.

Mr. Davis, the cheesemonger, tells you, that on the 26th of October last, he purchased of the prisoner 174 lbs. weight of paper at 3d. per lb. that he used 50lbs, and that the remaining 124 lb. he kept in the shop till Mr. Hogg fetched it away—he says, he cannot say whether it is the same or not, but he has so far identified it, that he tells you the paper he delivered to Mr. Hogg was the paper he received of the prisoner.

Then Gentlemen, James Pedder produces the paper, and Mr. Kelly is called, who identifies it as being the property of Mr. Hogg.

Therefore, Gentlemen these facts are clear, that the prisoner was in possession of this paper, the property of Mr. Hogg, that she sold it to Mr. Davis the cheesemonger, and when she is charged with it, she confesses, (as I should have stated to you before,) the fact of having taken it: something in her favour is, that when she was going into custody she did freely exculpate her brother from any share in the charge—The defence attempted to be set up is, that there is a perquisite of waste paper, allowed to bookbinders and stitchers, but they should first have established that this is waste paper, and even then as to it being allowed as perquisites. I can scarce believe it, because any thing that will produce a profit belongs to the master or owner, and if any paper was left, it belonged to Mr. Hogg: they have no right to sell that, as waste paper, that produces 3d. per lb. therefore I would advise no person to be guilty of it, under that idea; for if they were to be brought before you, I should be obliged to tell you that they cannot apply it to their own use, without the con-

sent of their master, whether waste paper or not ; and at this distance, I observe, it is neither dirty or rumpled, therefore it cannot come within the description of waste paper ; and as to Mr. Davis who purchased it, at 3d. per pound, I should have left it to you, whether he was not a receiver, knowing it to have been stolen, if he was at the bar on his trial—could he have supposed for a moment, that a woman of this description selling so large a quantity as 174 lbs. neither dirty or rumpled, or made useless, that she came honestly by it ? he is therefore in great luck not to have been charged by Mr. Hogg, and indicted for receiving that paper knowing it to have been stolen : therefore, I advise him to act more cautiously in future.

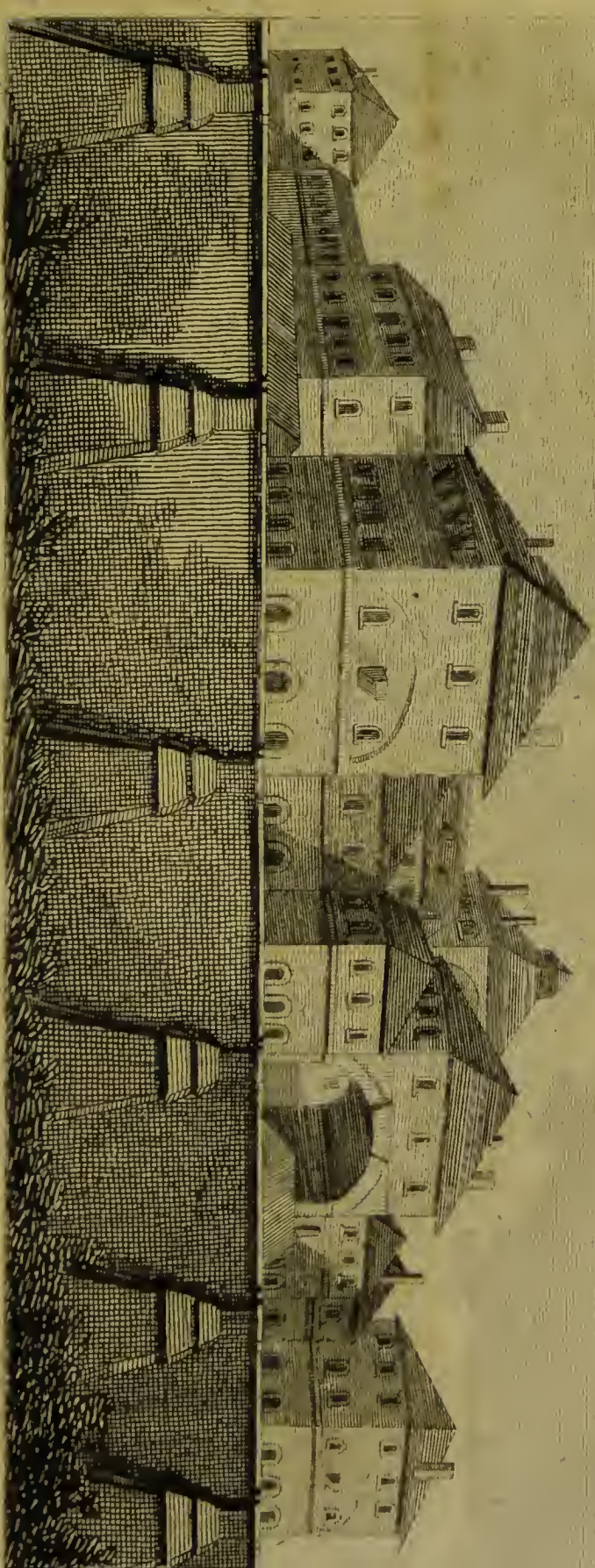
Gentlemen, the next part of the defence is, the character of this woman, she has called several persons who gave her a good character, but it is my duty to tell you, that if you believe this evidence, character cannot avail her ; it is brought home to her, she has confessed she took it at different times from several parcels, and when she had collected to a large amount, she went and sold it—if you believe this testimony, you will find her guilty, but if you have any doubt, then you will give some weight to the evidence given to her character, and will acquit her.”

The JURY immediately gave a Verdict of **GUILTY**, and the COURT sentenced her to Six months Imprisonment in the House of Correction.

Another indictment had also been laid, and a true bill found, at Hicks's Hall, against the prisoner, by Mr. Richard Phillips of St. Paul's church-yard, for stealing property of his, found among Mr. Hogg's numbers of books, &c.



*The HOUSES of CORRECTION, Cold Bath Fields.  
The View taken from Green Lane Road*







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*The INTERESTING TRIAL of JOSEPH WALL, Esq. late Governor of GOREE, at the OLD-BAILEY, for the wilful Murder of BENJAMIN ARMSTRONG, July 10, 1782, with Authentic Particulars of his Family, and Behaviour previous to his Execution, January 28, 1802, twenty years after the commission of the crime.*

THE Court opened under special commission on Wednesday, January 29, when Joseph Wall, Esq. was arraigned upon an indictment charging him with the wilful murder of Benjamin Armstrong, at Goree, in Africa, by ordering him to receive eight hundred lashes, on the 10th of July, 1782, which punishment caused his death on the 15th of the same month.

At the commencement of the trial, the prisoner said, he was very hard of hearing, and he therefore requested, that he might be allowed to sit by his Counsel.

The Chief Baron of the Exchequer, Chief Justice in the Commission, with whom appeared Mr. Justice Rooke, and Mr. Justice Lawrence, said to the prisoner, “ that is perfectly impossible; there is a regular place appointed by the law for persons in your situation; we can make no distinction of the sort you desire; that would be invidious.”

The Attorney General then opened the case on the part of the prosecution :

“ Gentlemen, Mr. Wall, the prisoner, now before you, was, in the year 1782, Governor and Commandant of the garrison at Goree, which you know is an island on the Coast of Africa. He had at that time under him an officer of the name of Lacy; likewise a lieutenant of the name of

Fall; another of the name of Ford, another of the name of Phipps, and another of the name of O'Shanley; but no other military officer whose name is necessary to be mentioned. The circumstances of this case arose in the year 1782, the exact time is the 10th of July, in 1782, when the death was occasioned which is charged upon the prisoner as murder. The day following this, which we charge as that of the murder, the 11th of July, 1782, the prisoner left his station at Goree as governor, and came off for England. He arrived here in August in that year—He was apprehended for this offence in March, 1784, under a warrant issued by order of the Privy Council. You will bear in mind, that most of those persons who were material witnesses to prove his innocence, if innocent he be, were then living, and within the reach of the process of the Criminal Justice of this country, and might have been brought forward for the vindication of the prisoner's innocence. In July, 1782, this gentleman had the garrison under his command, with those officers I have mentioned, and 140 or 150 men also under his command, as they had been for some time prior to the period at which he announced his intended departure, and which actually took place on the 11th of July, 1782. Some time previous to this, the garrison had been under short allowance of provisions, from necessity I will suppose, or from some fair reason, although that is not stated to me; but I will take it to be so, since the contrary does not appear. The men were put under short allowance, that is, to a restriction of food, for the convenience of the garrison, and for continuing it in safety until further supplies should arrive. In such cases, the men who are put upon short allowance,

allowance, are allowed a compensation in point of pay to the amount of the stoppage of their provisions. The gentleman now at the bar had announced his departure for the 11th of July: there was going away with him for England, a person of the name of Dearing, who was the pay-master of the garrison. In the hands of that person was, of course, that stoppage, either to allow the men the money, or in future what was equivalent to money, some articles of barter, which would procure for them what they wanted. When this pay-master was about to depart, these men were anxious that this account might be settled, and, as the period of departure drew nigh, several of them resorted to the house where the pay-master lived, for the purpose of obtaining payment of what was due to them on account of the short allowance to which they had been restricted, and here the case begins to unfold the disposition of the prisoner at the bar. What reason he had for mixing himself in considerations of this short allowance, and to interpose himself between those persons who called for an adjustment of their claims, and the person whose regular business it was to settle them, I am not apprized of, or at least I will not take upon me to alledge. The men resorted to the house of this paymaster, for they were desirous of obtaining what was due to them before the paymaster left the island, which was to be the next day. They were aware that a vast ocean would separate the paymaster and them in a short time; and considering the precariousness of human life, they thought it possible that they might not afterwards be in a situation to urge their claims with beneficial effect to themselves. On their coming towards the paymaster's house for this purpose, in considerable



rable numbers, as you will have in evidence before you, and as they were passing the door of the governor, which was in their way, he reprimanded them in anger, for resorting to the house of the paymaster; and, under terror of punishment, ordered them to go away. The men retired dutifully under that admonition. In about an hour and an half afterwards, several persons whether the same as the former, I do not know, but several persons, among whom was Armstrong, the cause of whose death, and whose death alone, is now before you; and I desire you to lay out of your minds any thing you may have heard any where, of any indictment upon the death of any other persons, and to confine yourselves to the inquiry into the death of this individual, and to the cause of his death; nor shall any circumstances be gone into, in this prosecution, but as it relates to that death, or the circumstances necessarily connected with it. If the subsequent death of others should necessarily in fact, have a bearing upon the present case, we shall go into it, because our duty will, in such case, compel us to do so; but in doing so, we shall confine ourselves, as indeed we must, in strict legal proceedings; but no other substantive crime can be insisted upon in the investigation of this, and therefore nothing shall be unnecessarily pressed; for our object is, that your attention should be kept entire to the charge in the indictment, upon which you are now sworn to make deliverance.

“Gentlemen, I have stated to you the first appearance of these men on their way to the house of the paymaster, and of their being ordered to return by the prisoner, and of their dutiful obedience to the order of their governor. I shall now proceed shortly to state the circumstances of these

these men for the same purpose.—On the second application, or rather intended application, to the paymaster, these men were proceeding towards the house of the paymaster; Armstrong appeared with these men: Governor Wall, the prisoner now before you, came out to meet them again. I do not know that he used the language of menace to them as before; however, that will come before you in the evidence of the orderly sergeant who attended the person of the governor, and who was of course obedient to his commands. He will state to you, that Armstrong was so far from being undutiful in his behaviour, that he took off his hat and paid all possible respect to the governor, and said they only came to make a representation to the paymaster, and respectfully retired; and from that period if there be any truth in the evidence that I am to lay before you, until the hour in which the punishment of Armstrong was inflicted which took place in the course of that day, and which led to his death in a few days: every thing in the conduct of the governor was furious and full of malice. Gentlemen, I am instructed to state to you, that there did not exist in this place, nor had there at any time previous to it, any symptoms of tumult, riot, discontent, disorder, or mutiny, nor any thing that bore the resemblance or appearance of mutiny. I advert to this now, because I think it right to anticipate what I know, not from rumour what I guess, but what I know from the declarations of the prisoner, what the defence will be—he makes his defence on the grounds of a supposed mutiny.

“Gentlemen, I would not canvas, but I would rather, to a certain degree, admit the validity of that excuse; and if there existed, in point of fact,

a mutiny

a mutiny, or a well grounded suspicion of it, and it was not brought forward as a cover and cloak for abuse of power, and perversion of authority—I say again, if there did exist a mutiny in this garrison, or any appearance of mutiny in it, which required the strong arm of power to suppress it, a crime so enormous in its size, and dangerous in its consequences, might supersede the ordinary mode of trials, and I do not stand here to require of you, nor will I require it any where, God forbid I should, to consider a man, acting in such a case, as a criminal, when he did the best he could, and acted with good intention, although some excess may have attended his conduct. He would in such case be, at all events, an innocent, and might, in some respects, be deemed a meritorious individual, because the power that is given to Commanding Officers in such cases of emergency, is given to them in trust, not for their own safety only, but for the safety of us all, which cannot be preserved unless prompt and vigorous means be taken for the suppression of mutiny. Therefore, whenever there is the appearance of mutiny, the exercise of authority should never be very critically examined, but should be judged with a very liberal spirit. But if no mutiny exists, but is assumed only for the purpose of screening a man who inflicts an unauthorized punishment, then he is so far from being a meritorious, that he becomes a more culpable individual. This prisoner stands charged with having abused the great authority his situation gave him, for the oppression, and even for the destruction of His Majesty's Subjects, for whose protection, and for the protection of us all, that authority was given. This application, which was intended to have been made to the Paymaster, was in the morning.

There

—There was an interval between that and the time of inflicting the punishment which ended in the death, about which you are now to enquire : respecting which, it will be incumbent on the prisoner to give you an account, why the garrison was not in tranquillity ; or if it was not, why an investigation did not take place into the matter. Upon that there is an entire silence. We hear nothing of the defendant until the evening, that is, until about six o'clock, when the drum was beat what they call “ a long roll,” to call the soldiers on the parade, which had the effect of bringing them all, as they were, some in their jackets, without any military preparation whatever, or any regard to their appearance. At this time there appeared on the parade Capt. Lacey, Lieut. Fall, Ensign Ford, and Mr. O'Shanley, four Officers ; and after some conversation had taken place between the Officers, there being on the parade a gun-carriage, and a person attending to perform the offices of tying, flogging, &c. a circle being formed, within which the Officers were. Armstrong, all this while being among the men who had formed the circle, was then called out, and ordered to strip, which he did. He was then tied to the gun-carriage ; black men, brought there for the purpose, not the drummers, who in the ordinary course of things would have had to flog this man, supposing him to have deserved flogging ; but black men were ordered to inflict on Armstrong the punishment ordered. Each took his turn, and gave this unhappy sufferer 25 lashes, until he had received the number of 800. Punishments of this sort, I understand, are usually inflicted by drummers ; but this was inflicted by black men, who did not belong to the regiment ; and the instrument with which the punishment was inflicted, was not a cat-of-nine-tails,

which



which is the usual instrument, but a piece of rope of a greater thickness, and which was much more severe than the cat-of-nine-tails. The rope will be exhibited to you in evidence, and therefore I need not say any thing to you of its fitness or unfitness for this purpose. It will appear to you also, that while this punishment was inflicting, the prisoner urged these black men to be severe, in a language, some of which I shall not repeat, it will be enough for you to hear it once from the witnesses. I shall pass by the coarseness of it; but he said, among other things, "cut him to the heart, and to the liver." Armstrong, the subject of this punishment, applied to him for mercy, but the observation of the defendant on this occasion, was, "that the sick season was coming on, which, together with the punishment, would do for him." After receiving a great number of lashes, that is 800, this poor creature was conducted to the hospital. He was in a situation in which it was probable his death might be the consequence; and therefore, you will see the declaration he made, which the law admits in evidence, because the declaration of a man, made under an apprehended pending dissolution, is by the law of this realm, considered tantamount to an oath. You will hear that he declared he was punished without any trial, and without ever being so much as asked, whether he had any thing to say in his defence; and this evidence, if made under the impression I have stated, will undoubtedly be competent evidence to be laid before you.

"After this punishment had been inflicted upon this poor man, for I will not travel into the circumstances of the case of any other person whomsoever, but confine myself to that for which  
the

the prisoner now stands before you: the governor and the paymaster set off the next day for England, and they arrived here in the month of August following.

“ Gentlemen, as it has been alledged that the defendant will endeavour to shew to you that there existed a mutiny in this island, I would ask upon what principle is it that he came to withdraw himself from his command? If there had existed in the garrison such a mischief as required to be repressed without the form of trial, and I will admit that immediate and urgent necessity may supersede the forms of trials in cases of mutiny and dangerous insubordination, in which cases we must not hold commanders to any rigid rules, provided they act for the best; but I would ask, if such was the state of this garrison when he inflicted this punishment, what induced him to act as he did afterwards, what can account for his subsequent conduct? Or does his subsequent conduct not shew that no such mutiny or danger existed? How will he account for his taking away with him from the garrison three officers out of seven, which was the complement of officers there? for that I will prove to you he did. Their presence must be essential to the order and good government of the garrison, especially if it was in this state of mutiny, which, for the purpose of his defence, he now will represent to you. But above all, how came he, in the account which he gave of this garrison at this very time, to His Majesty's ministers, not to mention that fact? With a view to this point, I directed every possible enquiry to be made into this fact, and the result is, that in every account that he has given, one of them minute and particular, stating the condition of the  
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garrison, naming those who were under arrest in it, and also the state and condition of the neighbouring settlement of Senegal, stating how they were affected to the English, and entering into minute details, in none of which is there a syllable of mention made of the mutiny on which now rests his defence, although, if true, it was more momentous than any thing else that could happen in the island." [Here the Attorney General read the substance of the letters sent by the prisoner to the Secretary of State, in August, 1782, when he came to England; as also the substance of the official returns he made of the state of the Settlement, in which, not a word was said of the mutiny, from which he maintained it was fair to infer, that it was an after-thought to excuse his cruelty.]—He then proceeded to say, "I have stated that this punishment was without the form of any trial; I understand there are two species of forms of trials in military affairs; the one is, a General Court-martial—the other a Regimental Court-martial—The crime with which this man was charged, is one for a General Court martial, as appears by the Mutiny Act." [Here he recited that part of the Mutiny Bill, which relates to this subject, and also the offences which can be taken cognizance of regularly by a Regimental Court-martial; the one in the case of mutiny being a capital offence, the other, such offence as may call for corporal punishment, and said, that this poor man had been tried by neither.] Here the most essential part of the administration of justice had been entirely overlooked:—"For," said he, "if we have been taught, and taught truly, that the party accused should have an opportunity of seeing his accuser, of hearing his accusation, and of making his defence.

defence. Nothing of that kind took place, no witness was examined, nor was any charge notified to Armstrong, nor was there any shadow or shade of trial, or form of trial." Here again he desired not to be understood as saying that there may not be circumstances of necessity that would justify many very irregular acts in military commanders in the hour of danger; they were not to be judged of in the common ordinary proceedings of Courts of Law. What he maintained was, that in point of fact, there was no such necessity existing in this case, and therefore there was no excuse for any deviation from the ordinary rules of proceeding. Having expatiated upon this topic for a considerable time, he proceeded to say, "The questions for your consideration will be these: first of all, was the death of Armstrong, respecting whom you are sworn to enquire, occasioned by the order of the prisoner at the bar? For if it was, the law implies in that act a certain degree of malice sufficient to account for the commission of such an act, and throws upon the prisoner the burden of shewing that there was no such malice; the ordinary way to do, which in this case would be, by shewing the existence of the mutiny, which he alledges as the cause of it. That I apprehend will be incumbent on this defendant to shew to you this day: it will be incumbent on him, I apprehend also, to shew you why he withdrew himself from the Justice of his Country in the year 1784. If he be innocent, that was of all times the most favourable for the manifestation of that innocence. The persons who knew most, nay, some also who knew the whole of the business, if his account of it be true, were then living. Mr. Lacy who succeeded him in the government of the garrison, Mr. Ford, Mr. Fall, and other officers, who



knew the whole of it, were then living, and within the reach of the process of our Courts: therefore of all times that was the most convenient for the trial of this prisoner, if he was innocent. He would not draw the difference that might be supposed to be the result, he said, of his having omitted to take this advantage. The ground on which the prisoner withdrew himself from justice in 1734, in his communication to my Lord Sidney, then Secretary of State, was, that he was waiting for evidence who were on the parade, and who saw the whole of the proceeding."

Here the Attorney General went over the circumstance of the prisoner escaping from the hands of the King's Messenger at an inn, at Reading, in their way up from Bath, where he was apprehended by virtue of a warrant from the Secretary of State, in the year 1784, and of the proclamation which was issued afterwards, describing his person, stating that he had fled from justice, and offering a reward of 200l. for apprehending him, and also took notice of the letters which he sent in October last, to my Lord Pelham, stating his readiness to take his trial.

The first was Evan Lewis, who stated, that in July 1782, he was serving at Goree, where the prisoner was then governor, but which situation, it was understood, he was to quit on the 11th of that month. On the 10th, he, the witness, was orderly serjeant, and as such, attended upon the governor. Before eleven o'clock in the morning, he observed between twenty and thirty of the African corps collected together, but could not undertake to say whether the deceased was among them, and he understood they were applying to Ensign Dearing, who was the commissary

missary for the settlement for short allowance. About twelve he saw them again coming towards the government-house, of which he informed the governor, who went out and met them at some little distance from the railing before the court-yard; Armstrong was first and the rest following in a line. The Governor called out to Armstrong, and bid him go back to the barracks, or they should be punished. This order they immediately obeyed without making any noise; on the second time they were not in their uniforms, had no arms with them, nor did the witness hear them make use of any disrespectful language. At the governor's dinner hour the bell rang, and several of the officers came, and he observed they went away sooner than usual. Soon after the Governor came out and passed the main-guard, who saluted him, and went up to the barracks, the witness attending him at some distance as it was his duty: from the barracks the governor ran hastily down and began beating one of the men, who appeared to be in liquor, and taking the bayonet from the sentry, beat him with that also, and then had them both confined. At an earlier hour than was usual for them to attend the parade, the governor gave him directions to have the long roll beat, and to order the men to attend without arms;—this order they obeyed, and were then commanded to form into a circle, in the centre of which were the governor, captain Lacy, lieutenant Fall, ensign O'Shanley, and another officer. There were in all, about 300 men, they formed two deep, the witness being outside the circle, and yet so situated as to plainly see all, and hear much of what passed. In a short time the carriage of a six-pounder was brought into the circle,

etc,

cle, and then he heard the governor call Benjamin Armstrong out of the ranks; Armstrong obeyed, when he was directly ordered to strip, tied to the gun-carriage, and flogged by five or six blacks, with a kind of rope; he never saw a man punished with such a thing before, nor ever by blacks. The governor stood by, urging them through the medium of their linguist, to do their duty, and he distinctly heard him say, "lay on you black b—s, or I'll lay on you; cut him to the heart; cut his liver out." During the punishment, Armstrong said something which the witness did not rightly hear, but he believed it was begging for mercy; and when it was over, he was led to the hospital, where he understood him to have died a few days after. This witness saw nothing like a Court-Martial held; the officers in the centre of the circle, it is true, conversed a minute or two, then turned to the governor, who ordered Armstrong out in the manner he had before stated. He declared that he saw no appearance of a mutiny; that he heard them talking of going to the commissary to require a settlement of their short allowance, (upon which they had been for some time,) as he and the governor were to leave the island the next morning, and which in fact they did. This witness underwent a very long cross-examination, but in which he did not vary in the material points: he admitted that he heard Armstrong tell the governor that they wanted to settle with the Commissary; but denied hearing him make use of any such expression as, "I'll be d—'d if you shall stir from the island until the stoppages are paid;" it could not have passed without his hearing: he knew Mrs. Lacy, wife of captain Lacy, who succeeded the prisoner in the government,

ment, was in the island, but did not recollect seeing of her at that time; yet, if she was then in the Government house, she was at a much greater distance from them than he was.

Robert Moore said, he was a private in the garrison of Goree on the 10th of July, 1782, on which day they were paraded, as near as he could recollect, between four and five in the afternoon. He heard the governor order lieutenant Fall to form a circle; and that being done, the officers conversed for some little time, but he did not hear what was done. Armstrong was called out of the ranks, when the governor represented him as being the ring leader of a mutiny. Armstrong made some reply, but it was so low a tone of voice that the witnesses could not collect what he said. After a little time, the timbers of a six-pounder were brought into the circle, when the governor ordered Armstrong to be tied to it, and commanded the linguist to interpret to the blacks how to inflict the punishment; and which was done by pieces of rope that appeared to be about an inch in circumference. The witness counted eight hundred lashes which were given to the deceased by five or six blacks, they changing, after each giving about five-and-twenty. When it was over, Armstrong walked away towards the hospital, and in four or five days the witness saw him carried to be buried. There was no appearance of mutiny, but the men were dissatisfied at not having received their money for the time they had been on short allowance, and they understood that if it was not settled before the governor and commissary Dearing went away, they should never have any; and which was the fact, as far as related to himself, notwithstanding they had then been kept short  
for



for some months. This witness had that morning gone to the sea-side to wash his linen, and when he came back he met several of their corps overjoyed at the idea that they were going to have a settlement, for Armstrong declared publicly that he had been with ensign Deerham and that the governor had promised to see every man righted before he left the island. The parade was ordered so much sooner than usual that many had not time to put on their uniforms; nevertheless it was formed in an orderly and quiet manner. During his punishment, he heard Armstrong ask to be forgiven, saying he would never be guilty of the like again, and the governor reply, he hoped that it would be a warning to him. If what passed with the officers in the centre of the circle, previous to Armstrong's receiving punishment, was called a Court-martial, he must say, he never saw one like it before nor since, for the whole form was, the deceased's being charged as the ringleader of a mutiny, and in a few moments ordered to be punished. There had not been any settlement for the short allowance to this hour; and he heard that all the officers who attended Governor Wall on that day are now dead. On his cross-examination, he denied ever hearing any of the men say, that the governor should not leave the island until their claims were settled; some of them had drank pretty freely. When the circle was formed he was in the front rank, and consequently, could see all that passed. He recollected the governor being called out of the circle by lieutenant Ford, he believed during the punishment of Armstrong, to go to the main-guard about some disturbance there, but he could not say what the disturbance was; he had heard that a private of the name

of

of Fawcett was sentry ; he believed the drummers of the corps were in the circle, but could not undertake to say whether they were or were not drunk ; and although he was so near while the punishment was inflicting on Armstrong, he did not hear the governor make use of any expression as “ cut out his heart, cut his liver out.”

Thomas Poplet was a lieutenant at Goree, at the time this circumstance took place, and saw the whole transaction of forming the circle on the parade, from his own quarters, being at the distance of about forty yards, and upon an elevation of eleven feet ; from that spot he could plainly see into the circle, and in its centre were governor Wall, captain Lacy, ensign Ford, and ensign O'Shanley, and he believed lieutenant Fall was also there : besides these, there were several black men, their interpreters. He knew Armstrong from that distance, saw him fastened to the gun carriage, and flogged on the bare back by the black men, who were frequently changed, and as well as he could judge, at about every twenty-five lashes ; when it was over, he perceived them to unloose Armstrong, who was then supported by two men in a direction towards the hospital. He could not undertake to say he could exactly distinguish what was made use of by the blacks to flog Armstrong with, but he produced a piece of rope which he said he received the same evening from one of the men, who assured him it was a piece of what had been made use of. It appeared to be somewhat thicker than what is called two-penny cord ; he declared he had never seen such used in the army for punishment ; the usual cat-o'-nine-tails were made of log-line, and when the punishment was intended to be moderate, whip-cord

was adopted, with a handle made of wood. He did not know of Armstrong's having been tried, nor did he see the least appearance of any thing like it. Being questioned as to the officers he had mentioned, he said, that captain Lacy was alive in 1784, and that he served under him in that year at Chichester; but he understood he was since dead. Ensign O'Shanley died in his passage home with the witness; who arrived in England, in February, 1784. Lieutenant Fall he had been informed, died in the Fleet Prison; and ensign Ford was also dead. The blacks who inflicted the punishment on Armstrong were not soldiers, but negro slaves, though it was usual in the army to have that office performed by the drummers of the corps. For his own part, he saw no appearance of a mutiny, nor did he believe there was any. Lieutenant Deerham came away from Goree with governor Wall; him the witness saw between three and four years back at his Solicitor's chambers, but knew not what had since become of him. On the 10th of July, the witness was himself a prisoner at his own quarters, under the sentence of a Court-martial, but was afterwards restored to his rank by command of His Majesty. His cross-examination went little further than to establish that he could not see what passed at the governor's house when Armstrong went thither at the head of the men.

—Ferrick, who was garrison surgeon at that time at Goree, stated, that the first time of his seeing governor Wall on the 10th of July, was at the evening parade, to which he was sent for to witness a man's receiving a punishment. When he came to the parade he found the men formed into a circle, and governor Wall, captain Lacy, lieutenant Fall, and en-

signs

signs O'Shanley and Ford, in the centre. The punishment of flogging was at this time inflicting upon Armstrong, and the governor said, he was a d—d mutinous scoundrel. The sentence was executed by negroes with ropes; he attended to the man but made no representation of the punishment being too severe for him to undergo without danger; indeed he did not appear to be more affected than men usually were. This was on the 10th, and on the 15th he died. From that time to the present he had always supposed that punishment to be the cause of his death. He did not see any thing on that day which had the appearance of a mutiny. This witness underwent a long examination by the counsel on both sides, in the course of which he said, that he was certainly sent for to attend the punishment in his professional capacity, and that he had not made any representations to the Governor against the whole being inflicted; partly from the appearance of his back being black, as it were, with bruises from the thickness of the cord; and in his present opinion, drawn from experience, was, that there was a greater chance of a man's dying by being so punished, than if with a common cat-o'-nine-tails, because it did not cut but bruised, from which more fatal consequences might arise, but which he did not then know, nor did he at the time think it to be dangerous; but he had not doubted, from his attendance on the deceased, that the flogging he had received was the cause of his death. He did not recollect that he had forbidden him the use of strong liquors, though it was propable he had not, because of the general order that none should be admitted into the hospital. On being pressed as to his permitting it to go on so far, he replied, he durst



not interfere ; but his explanation was objected to by the prisoner's Counsel.

The Court asked, what was the deceased's state of health at the time ? To which the Surgeon replied, that he was so healthy as not to have been under his hands before.

William Rosser was Assistant Surgeon in the hospital of Goree at the time ;—he recollected some persons being brought in after having received punishment on the 10th and 11th of July, 1782 ; he attended them, and remembered that Benjamin Armstrong was one of the number ; and who, as soon as he came into the hospital, said to the witness, that he had been punished by the order of Governor Wall, by his black men, and that he should certainly die. On preparing to dress him, he found that his back was as black as a new hat ; from his first coming into the hospital he regularly grew worse and worse, and appeared to be in a dying state ; insomuch that the witness had at no time any hopes of his recovery. On his cross examination, he said, that Armstrong, during the time he was in the hospital, was regularly supplied with the garrison allowance of half a pint of brandy, or a pint of wine, per day, which he might have drank if he chose ; but the witness did not recollect having seen him drink any.

John Butler was serjeant-major at Goree ; he went over some part of what had been repeated by the former witnesses, and agreed with them that there was no appearance of mutiny among the men.

Richard Biffon was serjeant of the artillery, and he gave an account of Armstrong and several others coming to him on the 10th of July, 1782, and telling him that they had seen the Governor,  
and

and that it was his orders that the witnesses should make out an account of what was due to each man: this he accordingly did, and delivered it himself to the Governor, who said nothing to him upon the subject.

John Clarke was a private in the African corps; he knew of no mutiny, but remembered a party going to Deerham's for a settlement of their short allowance; Armstrong was at the head of them. On meeting the Governor he called to Armstrong; the witness was too much in the rear to know what passed, but Armstrong turned round and they all went back immediately. He believed he might be half drunk at the time: there were twenty or thirty of them went up; Armstrong was at their head on the first time, and Upton the second. When they were told to go back, it was added that the Governor had declared he would see them righted.

David Powell, another private, gave nearly a similar testimony—he went with the party to Deering's, merely for a settlement, not with any design of mutiny.

Charles Peace, from the Secretary of State's Office, produced a letter signed J. Wall, dated August 26th, 1782, addressed to the Right Hon. Thomas Townsend, containing an Account of his arrival from Goree, and the state in which he had left the garrison. This was shewn to prove that the prisoner had not then alluded to any mutiny.

The King's Proclamation for apprehending J. Wall, he having escaped from his Majesty's Messengers at the Brown Bear, Reading, dated the 8th of March, 1784, and offering a reward for his apprehension, was next read.

A second letter, addressed to Lord Sidney, and dated October 15, 1784, signed Joseph Wall, was also read, in which it was stated that he would surrender in a few months.

Another letter was also produced, dated October 25, 1801, addressed to Lord Pelham, and signed as the others, stating, that he was now returned to England for the purpose of meeting the charge against him.

And a fourth letter, dated October 26; 1801, being a duplicate of the foregoing.

These letters were proved to be the hand writing of the prisoner, by Mr. Poplet.

J. A. Oldham, Deputy Judge Advocate, said, that returns of all General Courts Martial were made to their office; that he had searched, but could not find any of the trial of Benjamin Armstrong. What were called Field Courts Martial did not make any return; but all trials for mutiny were returned.

This was the case on the part of the crown; and the prisoner being called upon for his defence, addressed the Court at some length, the substance of which address was, that on the 10th of July, 1782, from the ill state of his health, from the climate, he was preparing to embark for England; that he had received a certificate from the Officers that the men were all satisfied; he was therefore surprised, at about eleven o'clock, at seeing a body of them coming up to the Government-house, who made a demand of a settlement for their short allowance;—to appease them, he desired them to let him have an hour or two to consider, but in a short time they should have it. On this they retired, and about two o'clock they returned, many of them much intoxicated, and violently insisted upon their demand being immediately

diately complied with; he expostulated with them for some time, and at length ordered Armstrong, who was at their head, to march the men back again; to which he replied, he would be d——d if he would, till it was all settled. He, the prisoner, then ordered them himself to return to the barracks; but they swore that they would not, and that, if their demands were not satisfied, they would break open the stores and satisfy themselves. They appeared to him to be bent on proceeding to extremities, and feeling he had no resource to fly to if they did, he begged they would give him an hour or two to consider, when he would give them an answer; they hesitated at first, but at last agreed, on condition that he would not leave the island. Armstrong then marched the men back, they shouting and giving every sign of a tumultuous disposition. When they were gone, he sent for the Officers of the corps to consult with them; and then walked out for the purpose of seeing the state of the garrison, and to inform himself whether they were all concerned. On his way, he met Armstrong and several more, who accosted him, saying that he had promised not to leave the island, and therefore he should not go to the water-side. He returned, and the officers being assembled at the Government-house, they all agreed that immediate punishment was necessary; he therefore ordered Ensign O'Shanley to go to the serjeant-major, and tell him to have all things ready for their punishment when called for:—the Ensign returned, and reported that all the cats-o'-nine-tails had been destroyed; that he did not think they would suffer any one to be punished, for they appeared to be all agreed; and



it was on this report that Capt. Lacy proposed that they should be punished by the linguist and his assistants:—this being fixed upon, he told Capt. Lacy that he would go round the main guard for the purpose of preventing the garrison being alarmed at knowing they were going to be punished: in the mean time the officers were to attend on the parade: here he joined them, and the men being formed in a circle, he asked if they had any claim? some replied, there was money due for short allowances; on which he called upon Armstrong, knowing he had no claim on that account, and charged him with mutiny. Just as Armstrong came forward, a messenger came from Ensign Ford, at the main-guard, to state that a man had been taken from his confinement. Feeling there was no time to be lost, he left these men under the care of Capt. Lacy, and went himself to the main-guard. On seeing him, the soldier who had been confined, retired; he followed, and as he was forcing him into the guard-room, the sentry clapped his bayonet to his (Governor Wall's) breast, saying he should not enter, but he forced the bayonet out of his hand, and then secured him as a prisoner also. This done, he returned to the parade, and directed the artillery to form with the African corps, a circumstance which had not before taken place. He then ordered Lacy, Fall, and O'Shanley, to form a Court-martial. Ferrick, the Surgeon, was then on the parade. Armstrong was then called out and charged with mutiny by the prisoner, who left him to be tried by this Court-martial, not having power at that time to form any other. While they were trying him, he went to the outside of the circle, where Capt. Lacy reported

reported to him that they ordered Armstrong 800 lashes :—he then returned and communicated to Armstrong this sentence, which was executed by the linguist and his assistants with a small rope, which was thrown to the surgeon, and which he so far approved as to give it as his opinion that it was not so bad as a cat-o'-nine-tails. As to the punishment being inflicted while he was tied to the carriage of a six-pounder, they had no other mode to execute it ; nor, from the manner in which Armstrong received this punishment, did it appear to have been a very severe one : but as soon as he got to the hospital he was suffered to drink spirits until he got intoxicated. His own state of health rendered it necessary that he should lose no time in quitting that climate, and therefore it was that on the next morning he quitted Goree, leaving captain Lacy as his successor in the command. On his arrival in England, he found various charges had been made against him by Poplet and Roberts, all of which were dismissed, and Roberts reprimanded for bringing forward what was so ill-founded. Having cleared himself from those imputations, he went to Bath, and heard nothing of any other charge until two messengers came to him there from Lord Sidney: he asked them if they had any warrant ? which they said they had not ; but he, however, had no objection, and they proceeded towards London in a chaise and four ; he paid the bills, and at Reading ordered the supper in the usual way, but did not think it necessary to tell the officers that he was going away.—He did not know of this charge ; but various injurious reports, such as his having blown men from the mouth of a

cannon, had since been circulated. "I am however," concluded the prisoner, "here now to answer for this charge, and leave it to my Lords and Gentlemen of the Jury."

To substantiate this account of the transaction, several witnesses were called, particularly Mrs. Lacy, widow of the captain who succeeded Mr. Wall, and Mary Falkner, who not only agreed with him in the outrageous conduct of the men, and the violent language they used, but both positively swore that Lewis, the first witness, was not the orderly serjeant on that day; John Falkner, Peter Williams, and some others who were present, were also examined, and whose testimonies went in full corroboration of the account given by the prisoner, and so far went to his justification; but which in most material points was in direct contradiction to the evidence which had been given by the witnesses for the Crown.

The Lord Chief Baron then addressed the Jury to the following effect:

"The case now before you, Gentlemen, is deserving of the most serious attention, in many points of view. It is in many respects, of every peculiar importance. When a well-intentioned officer is situated at a great distance from that assistance and support which he might otherwise look to from his native country, the national interest, as well as his own safety, may sometimes require of him, and indeed place him under the necessity of acting with a vigour and decision which, in other circumstances, he might not be warranted in employing. The strongest minds may thus be thrown off their balance, when under the influence of alarm; but on the other hand, these very circumstances, of distance, which, while it removes them from the support

with

withdraws them also from the immediate control of their superiors, require that their conduct should be free from any arbitrary, capricious, or malignant motives. Your business is to enquire whether, in the present instance, you have a case in which human infirmity, under the impression of fear, might or might not have overleapt the bounds of justice? The prisoner at the bar you find, was governor and colonel commandant of the island of Gorée. It is necessary that you should be possessed of what it is that constitutes in law the marrow of the crime of murder, which I can do the more easily, as I am enabled to lay before you the very words of the greatest authorities upon this subject. The malice which the law requires for the establishment of this crime is not what is vulgarly called spite, but the infliction of death from wicked, corrupt and deliberate motives. You will judge from the evidence, whether the circumstances indicate, even a carelessness for the life of man, and that you must do by weighing the quantity and portion of the punishment inflicted. We all know that these drum-head Courts-martial like all other Courts, have a discretion to exercise. They are generally held upon emergency, and the spur of the moment, but are not exempt from being bound by the rules of good sense and humanity. Masters and parents have an authority to correct their servants and their children; but they must not use that authority in an excessive manner, nor in an inordinate proportion. No apology can be made for an excessive quantity of punishment, even with a proper instrument, because the long continuance and severity of pain may be productive of as fatal conse-



quences as would result from instruments of a more moderate description. Neither is any man authorised to place another in so perilous a predicament as to make the preservation of his life depend merely on his own prudence. You will perceive how these observations apply, on reviewing what the different witnesses have stated, respecting the deceased person's having hastened his dissolution by the use of strong liquors; for we all know the vulgar prejudice by which the lower orders of people think that even in those cases most exposed to inflammation, they are right in the attempt, to keep themselves up by the use of spirits. In the course of the evidence, it cannot have escaped you, that there have been many contradictions, and this is not perhaps, to be wondered at in reciting transactions at such a great distance of time; but remember that the delay is by no means imputable to those who prosecute. You will be careful to compare the different degrees of credibility to be attached to the jarring testimonies, and in the recital, to assist you with such observations as occur to me."

His Lordship then proceeded to read those notes which he took in a very ample and careful manner.—When he came to the evidence of Owen and Clarke, his Lordship ordered them to be called in separately. Owen being again asked who was orderly serjeant on the day of mutiny? answered that it was Lewis: of this he was certain. The same question being put to Clarke, he said he could not tell. His Lordship next noticed the letters sent to the Secretary of State. There appeared in these letters an anxiety to state minute circumstances, as the arrest  
of

of officers, state of the provisions, &c. yet it was very remarkable that these letters contained no account of mutiny of the corps. The prisoner had stated, as his reason for withdrawing from trial, that paragraphs had appeared in most of the newspapers, misrepresenting the transaction, and that men's minds were greatly prejudiced against him. However malignant these paragraphs might have been, it could scarcely require an interval of eighteen years to destroy their effect. The first evidence for the defence was Mrs. Lacy, and what she had said, his Lordship observed, was of the greatest importance, and deserved the most mature consideration of the Jury. She had stated that her husband fell into a bad state of health in consequence of having received a *coup de Soleil*. She at first stated that his illness was not such as to unfit him from being a witness in a court of justice; but recollecting herself, she remarked, that she had answered too rashly, and she was convinced that his mind was not in a state to enable him to give evidence on any trial. There was another material point of her evidence, namely, that the orderly serjeant was not Lewis. It was necessary for the jury to consider well this part of Mrs. Lacy's statement, for if they believed her, they could not give credit to the facts related by Lewis, who stated that he was the orderly serjeant on the day of the mutiny, and makes his being in that situation his *causa scientia*. It was obvious that if Lewis's evidence was rejected, as to that point, very little credit could be given to the whole of his statement. The Gentlemen of the Jury would therefore bear in mind the two principal objects the prisoner had to establish by Mrs.

Lacy's

Lacy's evidence; namely, first that the *coup de soleil* had rendered her husband incapable of becoming a witness in a court of justice. If this was believed, it would in some degree account for the prisoner's conduct in avoiding his trial, while that gentleman lived, as his evidence would have been of no use either in the prosecution or the defence. Secondly, that Kearney, and not Lewis, was the orderly serjeant; if she was to be believed in this, the evidence of the latter would fall to the ground. There were great differences in the evidence of the witnesses, with respect to the number of the persons said to be in a state of mutiny. Peter Williams, a non-commissioned officer of Artillery, stated the number of persons who came to demand the payment of arrears to have only been about a dozen, though Mrs. Lacy made them amount to seventy or eighty. Charles Tims said the mutineers amounted to about thirty; but this witness stated one circumstance which would not escape the observation of the Gentlemen of the Jury. He swore, that when Mr. Lacy came to Colechester, he had the command of his corps, and that he continued to command it for some time. This was entirely contradictory to Mrs Lacy's assertion, that the *coup de soleil* had incapacitated her husband from being a witness; and was a very important point for their consideration, when they came to determine whether that lady's evidence should stand or fall. The prisoner had called several persons of very high respectability, to give evidence as to his character. General Forbes, General Mackenzie, the Rev. Mr. Clarke, &c. had all given him a very good character for humanity, during the period  
they

they knew him. Major Philips, who resided six months at Goree, also gave the prisoner a good character, so far as related to himself, but when asked what was his general character in the Settlement, which indeed was the proper question, he would not give an answer. He had received a letter of recommendation to Governor Wall, and it appeared had paid attention to that recommendation by using the witnesses well; but he could not say that the character he had given the prisoner was that which he had heard of him in the island. With regard to Mr. Lacy's ability to become a witness, what had fallen from two of the other witnesses in this trial was also worthy of the attention of the Jury. Captain Poplet said, that Mr. Lacy was not in bad health when he came to England. And Mr. Ferrick, the surgeon, stated that Mr. Lacy had been for some time deranged, and in bad health, yet that he afterwards recovered, and was in good health. Having gone through the whole of the evidence, his Lordship addressed a few general observations to the Jury. He said, Gentlemen, the main question for your considerations is this, Was there a mutiny, aye or no? If there was a mutiny, it next becomes your duty to enquire whether the prisoner was under the necessity of repressing it in the manner he did. The evidence for the prosecution says this was not the case. The soldiers, it appeared from that part of the evidence, were going to the Commissary's office, not intending at all to address themselves to the governor, in the first instance—their object was to claim the arrears which were due to them; but meeting the orderly serjeant, some conversation ensued between them and him on the subject



ject of their application. It will be recollected, that the soldiers were pressed for some time, as both Governor Wall and the Commissary were going to leave the island next day. It therefore was necessary that they should make their claim at that time, as they were soon to be deprived of every opportunity of urging it. They applied, it is said, in a quiet and orderly manner, without any appearance of mutiny. The defence exhibits a very different picture; according to the evidence for the prisoner all was confusion and tumult. The soldiers on guard are stated to have refused to detain a prisoner, and one it is said, turned his bayonet against Governor Wall. There is, Gentlemen of the Jury, a very wide difference between these evidences, and it is your duty to discriminate the true from the false. There is a wide difference between the solicitation of men without arms, and the tumultuous demands of armed mutineers. It is impossible to reconcile evidence of so contradictory a nature. There must be gross extenuation on the one part, or unaccountable exaggeration on the other. You, Gentlemen of the Jury, will maturely consider whether the prisoner was placed in that situation in which a good officer is under the necessity of acting with the greatest severity; or whether the whole of the defence has been contrived for the purpose of excusing that transaction which has taken place; this, Gentlemen, is the great point for your consideration. If you think there was no mutiny, the prisoner's defence is of no avail. If there was a mutiny, then you will have to consider whether the punishment was not unjustifiable, and whether the instrument used, and the manner in which the punishment

nishment was inflicted, were not of such a nature as to imply propense, as I pointed out in the commencement of my observations. If you are satisfied there was a mutiny, and that the prisoner was placed in a situation in which it was absolutely necessary for him to exert severity, then I have Mr. Attorney General's authority to support me in stating that he ought to be acquitted. But I see no medium between the one and the other opinion. Either there was or there was not a mutiny, and by your decision as to that point the nature of your verdict must be regulated. If however you are of opinion that there was a mutiny, still you will have, as I have already observed, to consider how far the persons were regularly condemned, and whether the punishment inflicted was not unwarrantable, and beyond all measure, and whether it justified that outrage of malice aforethought which was made against the prisoner. I am fully convinced, Gentlemen, that the verdict which you will give, will be just and impartial. If any rational doubt arise in any of your minds, you will not fail to lean to the side of mercy, and to allow the whole weight of these doubts to preponderate in favour of the Prisoner.

The Jury after being out of Court some time pronounced a verdict of GUILTY.

The Recorder then proceeded to pass sentence of DEATH upon him: that he be executed to-morrow morning, and that his body be afterwards delivered to be anatomized according to the statute.

Mr. Wall seemed sensibly affected by the sentence, but said nothing more than requesting the Court would allow him a little time to prepare himself for death.

On the 21st of January, a respite was sent from Lord Pelham's office, deferring his execution until the 25th. On the 24th, he was further respited till the 28th, on which day, (Thursday,) that unfortunate officer was executed.

At a little after four o'clock, the scaffold began to be erected by torch-light, and was completed soon after seven, except the black hanging, which is not permitted to be displayed, nor the prison-bell to toll, for the departure of any one convicted of murder. The prisoner had an affecting interview with his wife, the Hon. Mrs. Wall, the night before, from whom he was painfully separated about eleven o'clock. This disconsolate and affectionate lady, unremitting in her solitudes, caused the colonel to write a note to Mr. Kirby, the goaler, about nine o'clock, requesting that she might be permitted to remain in the cell until eleven; thus cordially manifesting her fond but delusive hopes to the very latest moment. Mr. Kirby, with a feeling of humanity highly creditable to his character, readily complied with this request. But, greatly unfortunate lady! she had not any acquisition of reasonable hope at the hour fixed for her departure. Eleven o'clock came, and she saw the end of all her earthly joys! Numberless tender embraces now took place: the loving wife reluctantly departed, overwhelmed with grief, and bathed in tears, while the unfortunate husband declared that he could now, with Christian fortitude, submit to his unhappy fate.—During the greater part of the night the colonel slept but little. About four o'clock in the morning, his sleep was however observed to have become sound, and according to the best recollection of his attendants, he continued in this sleep rather more





*Governor Wall contemplating on his  
unhappy Fate, in the condemned Cell.*





more than an hour; so that he could not have heard the fatal machine in its passage to the debtors door. His voice preserved its usual strength and tone to the end; and though very particular in his questions respecting the machinery in every part, yet he spoke of his approaching execution and death with perfect calmness. At half after six in the morning, his prison-attendant going to his cell, was asked by him, "whether the noise he heard was not that of erecting his scaffold?" He was humanely replied to in the negative. The ordinary, Dr. Ford, soon after entered, when the prisoner devoutly joined him for some time in prayer. They then passed on to an anti-room, when the Governor asked, "whether it was a fine morning?" On being answered in the affirmative, he said, "the time hangs heavily: I am anxious for the close of this scene." One of the officers then proceeded to bind his arms with a cord, for which he extended them out firmly; but recollecting himself, he said, "I beg your pardon a moment;" and putting his hand in his pocket, he drew out two white handkerchiefs, one of which he bound over his temples, so as nearly to conceal his eyes, over which he placed a white cap, and then put on a round hat; the other handkerchief he kept between his hands. He then observed, "the cord cuts me; but it's no matter." On which Dr. Ford desired it to be loosened, for which the prisoner bowed, and thanked him.—As the clock struck eight, the door was thrown open, at which Sheriff Cox and his officers appeared. The Governor approaching him, said, "I attend you sir;" and the procession to the scaffold, over the debtors door immediately succeeded. He had no sooner ascended it, accompanied by the

Ordinary, than three successive shouts from an innumerable populace, the brutal effusion of one common sentiment, evidently deprived him of the small portion of fortitude which he had summoned up. He bowed his head under this extreme pressure of ignominy, when the hangman put the halter over it, but took it off again to replace it; this done, the governor stooped forward, and spoke to the Ordinary, who, no doubt at his request, pulled the cap over the lower part of the face, when in an instant, without waiting for any signal, the platform dropped, and he was launched into eternity!—From the knot of the rope turning round to the back of the neck, and his legs not being pulled, at his particular request, he was suspended in convulsive agony for more than a quarter of an hour. After hanging a full hour, his body was cut down, put into a cart, and immediately conveyed to a building in Cow-cross-street, to be dissected. He was dressed in a mixed coloured loose coat, with a black collar, swan-down waistcoat, blue pantaloons, and white silk stockings. He appeared a miserable and emaciated object, never having quitted the bed of his cell from the day of condemnation till the morning of his execution.

During the time of his confinement, previous to trial, he occupied the apartment which was formerly the residence of Mr. Ridgway, the bookseller. His wife lived with him for the last fortnight; she is a very accomplished woman, about his own age; although he was allowed two hours a day, from twelve to two, to walk in the yard, he did not once embrace this indulgence; and, during his whole confinement, never went out of his room, except into the lobby to consult  
with

with his Counsel. He lived well, and was at times very facetious, easy in his manners, and pleasant in conversation; but during the night he frequently sat up in his bed and sang psalms, overheard by his fellow prisoners. He had not many visitors, his only attendant was a prisoner, who was appointed for that purpose by the turnkey. After trial he did not return to his old apartment, but was conducted to a cell; he was so far favoured as not to have irons put on, but a person was employed as a guard to watch him during the night to prevent his doing violence to himself. His bed was brought to him in the cell, on which he threw himself in an agony of mind, saying, it was his intention not to rise until they called him on the fatal morning. The Sheriffs were particularly pointed and precise in their orders, with respect to confining him to the usual diet of bread and water preparatory to the awful even. This order was scrupulously fulfilled.

The prisoner, during a part of the night, slept, owing to fatigue and perturbation of mind. The next morning his wife applied, but was refused admittance without an order from one of the Sheriffs. She applied to Mr. Sheriff Cox, who attended her to the prison. From the time of the first respite, until twelve o'clock on Wednesday night, he did not cease to entertain hopes of his safety.

At eleven o'clock on Wednesday night, Mr. Kirby went into the prisoner's cell, with the man who was appointed to sit up with him. He enquired if any news had arrived? he was told none, Mr. Sheriff Cox, who called on him frequently before trial, about this time visited him in his cell. He expected a respite till twelve o'clock—none then arriving, after the lapse of near an hour,

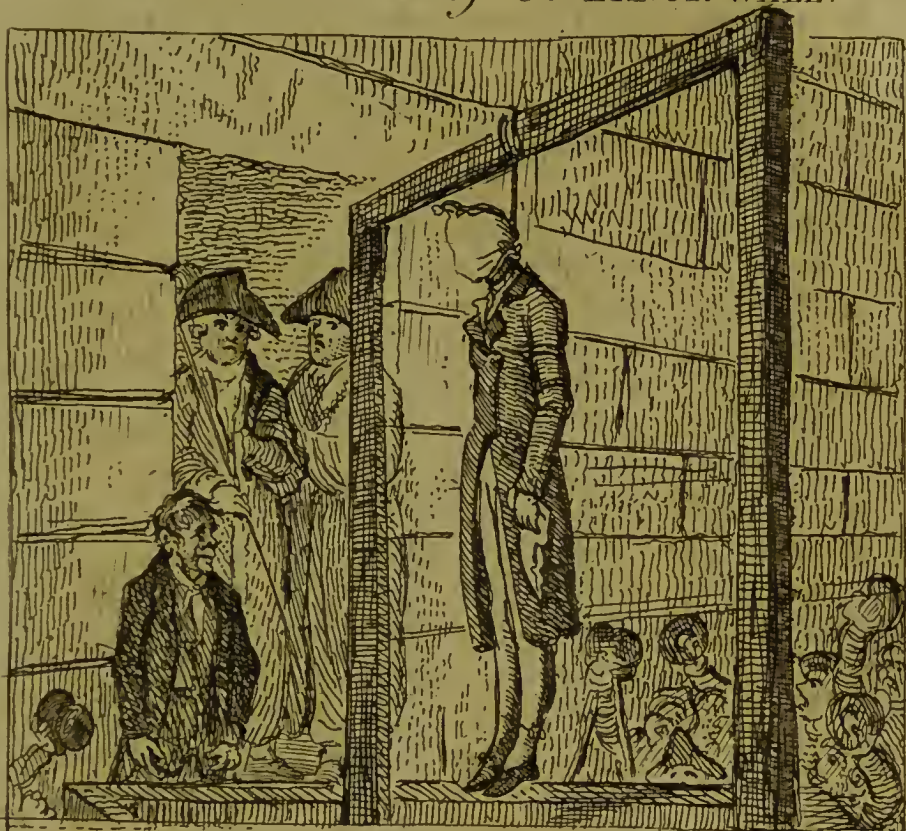


hour, he enquired particularly whether the machine, in being brought out of the press yard, would make a great noise, and inquired at what time? The attendant being unwilling to discompose his mind, pretended to be ignorant of those matters. He fell asleep between four and five o'clock, and did not hear the noise of the fatal machine, which was brought out at five o'clock, although it shook the whole prison; but about twenty minutes after, a mail coach going by, he started, and said, "Is not that the fatal scaffold?" The same person answered, "no," observing, it was the mail, and he might hear the horn blow with it. He did not go to sleep again; he asked many other questions, and inquired whether, being a tall man, he could not avoid the jerk in the falling of the scaffold, although it was done, he apprehended, to dislocate the neck of the sufferer, and put him sooner out of pain. By the executioner misplacing the rope, however, it appears that he must have been tortured for near half an hour.

The crowd, though prodigious, was said to be not so great as that which attended the execution of Adamson and Wilkinson for forgery, about three years ago; but the public indignation has never been so high since the death of Mrs. Brownrigg.

The body of the unfortunate Governor was not exposed to public view, as usual in such cases. Mr. Belfour, Secretary of the Surgeons' Company, applied, we understand, to Lord Kenyon, to know whether such exposure was necessary; and, finding that the forms of dissection only were required, the body, after those forms had passed, was consigned to the relations of the unhappy man, upon their paying fifty guineas to the Philanthropic

*The EXECUTION of GOVERNOR WALL.*



*The Cruelty of GOVERNOR WALL at GORÉE.*





lanthropic Society.—His remains were interred in the church-yard of St. Pancras: the corpse was attended by the person in Tottenham Court Road at whose house WALL had lodged, under the name of *Thompson*, and three other persons.

It is rather a curious coincidence, that, at three equally distant periods in the interval of forty years, the late unfortunate Mr. Wall rose first into notice—was at the zenith of his power—and terminated his career by an ignominious death. The first in 1762, when he fought with great bravery and effect at the reduction of the Havannah, which occasioned his subsequent promotion; the second in 1782, when, with the rank of a field officer, and Governor of the Island of Goree, he unhappily committed those acts which led to his deplorable catastrophe; and thirdly, after a long exile, with very precarious means of subsistence, in 1802, when he expiated those offences by an ignominious death.

Governor Wall was descended from a good family in Ireland, and entered into the army at an early age. Of a severe and rather unaccommodating temper, he was not much liked among the officers; and he has frequently said to a friend here in London, that his chief reason for avoiding a trial was, because several of those who would have been witnesses were his personal enemies.

The late Captain Armstrong was his private agent, as well as agent to the African corps, of which Mr. Wall was commandant. Mr. Wall was only Lieutenant-Governor of Sene-Gambia, but acted as Chief, the first appointment being vacant. It was an office he held but a short time, not more than two years. His emoluments were very considerable, as, besides his military appointments,



pointments, he was Superintendant of Trade to the Colony.

His family were originally Roman Catholics, but of course he conformed to the Protestant Church, or he could not have held his commissions. He has a son in a respectable line of life; but he thought it prudent since his misfortune to say little concerning his family or relatives. Whilst abroad he went by another name.

The interest made to save Governor Wall was very great. The whole of Wednesday his case occupied the Great Law Officers; the Judges met at the Chancellor's in the afternoon. The conference lasted upwards of three hours.

When he had evaded justice in 1784, he lived on the Continent, sometimes in France, and sometimes in Italy, but mostly in France, where he lived respectable, and was admitted into good company. He particularly kept company with the officers of his own country, who served in the French Army, and was well known at the Scotch and Irish Colleges in Paris.

In 1797, he returned to this country, as if by a kind of fatality, without any apparent reason; and applied, through the medium of a friend, to obtain a safe retreat, which was procured him at a house in Lambeth Cut, where he remained several months, seldom going out, and that either very late or early. He was frequently advised by the friend who had procured him the lodging, to leave the country again and questioned as to the motive for remaining; he never attempted, however, to give any, but appeared, even at the time when he was so studiously concealing himself, to have a distant intention of making a surrender, in order to take his trial. It is very evident that his mind was not at ease, and that he was incapable

ble of taking any firm resolution either one way or another. And even the manner in which he did give himself up, shewed a singular want of determination, leaving it to chance whether the minister should send for him or not; for rather than go to deliver himself up, he wrote to say, “he was ready to do so”—a less becoming, but not a less dangerous mode of encountering danger.

Governor Wall was allied by marriage to a noble family, and his wife visited him frequently when in his concealment at Lambeth; and since that time he lived in Upper Thornhaugh-street, Bedford-square, when apprehended. It is most probable, that had he not written to the Secretary of State, the matter had been so long forgotten, that he would never have been any way molested.

However lamentable the unhappy fate of Governor Wall, in coincidence with that of the unhappy seamen, whose trials we have just given, is fortunate for the character of the nation and its government, it will bear testimony to Europe, and to the world, that whatever inroads may have been made on British freedom, English justice still retains its original purity, and is still equally and impartially administered to the Peer and to the Peasant, making no distinction between the private and his commander, but punishing, protecting, and avenging all alike. It will be a consolation to such of the British seamen who may be dejected and cast down by the melancholy, though just, end of so many of their comrades, to find that no flimsy charge, no groundless imputation, no pretended mutiny, either imagined at the moment, or afterwards trumped up, as occasion may require, will be

admitted as a justification of severities, causelessly and inhumanly inflicted. When they see the death of a simple serjeant, without family or friends, in a country whence the report of his wrongs might possibly have never reached home, now made the subject of a state prosecution, conducted by the two principal criminal Officers of the Crown, with the assistance of a number of other highly respectable Counsel, and the attendance of every witness in the smallest degree necessary, collected with all the anxiety that could have been bestowed on the case at the commencement of the prosecution in 1784, by the widow and orphan children of the deceased (if such he had, and they were rich enough to afford the expence) will they not rejoice to see that punishments are not for them alone, and that the proudest of those who rule them cannot tyrannize over them with impunity? It is natural to the ignorance of low situation, to suppose that suffering is confined to its own class. In some countries this is unfortunately too much the fact. In ours, great crimes are rare in the higher ranks of society; but in the few instances that have occurred, the equality of justice has been enforced in a manner that gives every peasant in the land reason to thank Heaven that he was born in such a country.

*The remarkable TRIAL and EXECUTION of WILLIAM CODLIN, Captain of the Brig ADVENTURE, for feloniously destroying that Vessel, by boring Holes in her Bottom, with intent to defraud the Underwriters.*

**W**. CODLIN, John Read, W. Macfarlane, and John Easterby, were indicted for feloniously destroying, and procuring to be destroyed,

stroyed, the Brig *Adventure*, (nominally bound to Gibraltar and Leghorn) with a view to defraud the Underwriters, Messrs. Maryan, Ryder, Honeyman, and Nash, on the 8th of August, 1802, off Brighthelmstone, by boring three holes in the larboard run, and other holes in the larboard quarter.—Codlin and Read were charged, as officers of the ship, for committing the fact; and Macfarlane and Easterby, as owners, for procuring it to be committed.

The trial came on at the Sessions-house, in the Old Bailey, Tuesday, October 26, 1802, before Sir William Scott, Lord Ellenborough, and Baron Thompson. It commenced at 9 o'clock in the morning, and did not conclude till 12 at night. So great was the desire of the public to witness the developement of this nefarious transaction, that the Sessions-House was filled before eight o'clock in the morning, and every avenue leading thereto blocked up.

The first witness was T. Cooper, who said he was a seaman on board the *Adventure*, originally before the mast; was shipped in the River, the vessel then lying below Limehouse. Codlin was captain, and Douglas mate; the rest of the crew consisting of two boys, making in all five. Storrow was coming back and forward. There was a part of the cargo on board. The vessel sailed from Limehouse, for Yarmouth, where she took in twenty-two hogsheads of tobacco, some linen, and fifteen tons of ballast. From thence they proceeded to Deal, having taken on board at Yarmouth an additional hand, named Walsh, a bricklayer's labourer. At Deal, Douglas, the mate, complained of the rheumatism, and left them. Storrow went away, and was succeeded by Read. They took in another hand, named



Lacy. The Captain said, as witness was bringing him off shore, that witness should take Douglas's birth; but witness said he was not capable, not knowing navigation. The Captain said, as long as he pleased him, that was plenty.—They did not sail from Deal as soon as they might. The Captain said at one time he waited for letters, and at another, he waited for a wind. It blew a little, but other ships sailed. At length they sailed five or six days before the vessel went down. The Captain gave strict orders to keep the boat free. Witness put in four oars, cutting two of them to the length. Formerly they threw lumber into the boat; but the Captain ordered that there should be none there, and that there should be plenty of tholes or pins for the oars. The Captain said they should not be in the ship 48 hours longer; this was Friday. On Saturday, he said that night should be the last; it was impossible she could carry them through the bay; he did not think her trust-worthy for his life, and why should witness for his?—The Captain then sent witness down to mix grog for himself and Read, and some of the crew.—Witness was afterwards walking the quarter-deck; the Captain was at the helm, and called witness to relieve him. The Captain went below; he came up in a quarter of an hour, and said to the witness, “Go down, and you will find an augur on the cabin deck; take up the scuttle, and bore two or three holes in the run, as close down to the bottom as possible. The witness went down, and found the auger; it was a new one brought by the Captain from Deal, and was put into the handle of another auger; he bored three holes close down in the run with two augers and a spike gimblet, which he left in the holes. The witness came on deck, and told the

the Captain he had bored the holes. The Captain asked if the water was coming in? Witness said, not much, for he had left the augers in the holes. The Captain said they might remain in till day-light. On Sunday morning the cabin-boy was prevented from coming down by the Captain; before that, he always came down and got breakfast in the cabin. At day-break, witness pulled out the augers, and the water came in, but the Captain did not think it came in sufficient quantity, and wished for the mall to enlarge the holes. The witness said, the crow-bar would do. The Captain ordered him to bring the crow-bar, and make the holes larger. He did so; the Captain was present all the time, and lent a hand to knock down the lockers to make room.—The crow-bar went through the bottom, and, the witness believed, so did the augers. Mr. Read was in bed, close by the holes. The distance might be about four yards.—Mr. Read turned himself round several times while the witness was boring the holes; he never spoke, nor did witness speak to him, but he turned in the bed several times; the auger did not make much noise. When the holes were bored, the witness called Read, by the Captain's order: he came on deck, but shortly after he went down, and went to bed again. The bed was on the larboard side of the cabin. Read could not see the augers, but he might hear the water run, as the cabin-boy heard it, and the witness heard it himself, a small hole being left open to keep the pumps at work. Read went to bed again, but he was on deck when the hole was beat with the crow-bar. Read was permitted to go down, but the boys were not. When the hole was beat through, the colours were hoisted; the boat was already out, and all hands in it except the Captain and witness. Wit-

nefs packed up his things, when he was told they could not be forty-eight hours in the vessel, but he mentioned the matter to nobody. He packed them in a bread-bag which he emptied on the deck. When the holes were boring, the Captain ordered the men aloft to take in sail; no one could possibly see or hear him, except witness, the Captain, and Read. They left the vessel at eight o'clock. Several boats came off on the signal. The people in them said, they (Captain Codlin and his people) had met with a sad misfortune: they answered yes. The boats asked if they wanted any assistance, and offered to tow them on shore. The Captain said she was his while she swam, and they had no business with her. The Swallow revenue cutter then came up, and took the brig in tow, fastening a hawse to the mast: the brig, which lay on her beam-ends before, immediately righted, and went down. Witness has no doubt that she went down in consequence of the holes. Read's trunk had come on board at Deal; it was sent back the next day; witness helped it into the boat; it was full of linen when it came, and was not locked. Witness does not know what it contained when it went back.—Captain Codlin and the whole crew went to the Ship Tavern at Brighton. Read said to a lady who came to see him, that he had lost every thing belonging to him, and that he was ruined. Easterby and Macfarlane came to Brighton on Tuesday; they came to the Ship Tavern. Easterby asked where the holes were, and of what size. There were some carpenter's tools on the floor, which had been brought from the vessel. Easterby asked if the holes were of the same size of the handle of the chissel that was among the tools; and being told they were, said, the witness should prepare the handle to plug the holes in



case the ship should come on shore, as she was then driving in. Macfarlane was in the room, but witness cannot say whether he could hear, as Easterby spoke in a low voice. Easterby said Codlin was a d—d fool, he had made a stupid job of it, he should have done the business on the French coast, and then he might have made the shore of either country in the boat in such fine weather. Macfarlane discoursed with them, but witness did not hear what he said. Easterby spoke loud enough for all the room to hear him. Macfarlane and Easterby ordered the Captain and witness to go to London together, and to take private lodgings, in which they should keep close, or they would be under sentence of death. Macfarlane took seats in the coach for them, and paid their passage. Read wrote on a piece of paper where witness was to go in London, to Macfarlane's house. Witness received 9s. wages, and Macfarlane gave him a guinea; this was after he had described the size of the hole; cannot say whether the others were paid their wages; witness came up with one of the bags, the Captain being stopped by a gentleman (Mr. Douglas). The boy was put in his place at five and six in the morning. Read went with witness to the coach-office; Macfarlane came after, and Easterby came with the boy, who was apprentice to Storrow. Only one pump had been worked for a length of time in the ship, the other was not in order. There was a gear for the other, but the Captain did not want to find it. The Captain sent the boy down for his great coat; the boy, on his return, said the water was running. The Captain said it was no such thing, it was only the water in the run, and told the boy to go forward. He ordered witness to go down and see, but jogged him



him as he passed, and told him to say it was nothing. Witness, on coming up, said it was only the water in the run. Witness staid in London two nights, and then went to his mother near Saxmundham, in Suffolk; having no money, and failing to get a ship after several applications, he walked the whole way, which is 88 miles. When he arrived, his mother told him there had been people after him about a ship; and there had been hand-bills, offering a reward. He immediately sent for the constable of the place, Mr. Askettle, and surrendered himself, to whom he told every thing, desiring him to take him to London.

John Morris, George Kennedy, Lacy, and James Welch, corroborated Cooper's testimony. Storrow proved the intent of the voyage, that it was to defraud the underwriters. The insurances were also proved. Several witnesses gave Read and Macfarlane a good character.—As it appeared that Read took no active part in the business, and one of the witnesses having intimated that he was deaf; and the learned Judge observing, that it was possible he could not hear the conspirators talking, and the boring of the ship, &c. he was acquitted, and the rest found *Guilty*;—but two points of law having been pointed out by Mr. Erskine, in favour of Easterby and Macfarlane, judgment was accordingly arrested, for the decision of the twelve Judges.

They all heard the verdict with much firmness—Read with the most composure; Easterby, apparently with indifference, looking around him; Macfarlane's features shewed he was inwardly much affected, though he bore himself with firmness; Codlin stood behind.

Sir William Scott desired that Codlin might be put to the bar, and the others removed. Sir William then pronounced sentence of Death on Codlin, in the most solemn and impressive manner: telling him to employ the few days he had to live in repentance, and reconciling himself to God, for there was no hope of pardon in this world.—Codlin then retired with a firm and undaunted deportment, taking a respectful leave of the Court at he went out.

Captain W. Codlin was a native of Scarborough; and it is said by them that knew him well, that a better seaman was not in the North coast trade, in which he had long sailed between Sunderland and London.

The following is a correct account of the several circumstances which occurred during the last twenty-four hours of the life of this unfortunate man :

On Friday Mrs. Codlin left town for Windsor, with a petition to his Majesty, which, however, her husband had declared he did not conceive would be of any service; yet, in spite of this declaration, he was in the fullest expectation of a respite until near twelve at night, when all his hopes vanished, and the certainty of his fate burst upon his mind, and caused the greatest perturbation, and anxious desire to see his wife. A person of the name of Dring, who sat up with him, and to whose kind and humane attentions he seemed truly sensible, used every means to tranquillize his mind; this effect was at length produced, and on his wife being introduced to him, which by the considerate humanity of Mr. Kirby, was done early in the morning (she having returned to Mr. Kirby's house between two and three o'clock) he was perfectly composed. Any

description of their parting scene would be a mockery of real woe. After the trying conflict was over, the sacrament was administered by Dr. Ford to Mr. Codlin, in which ceremony his friend Dring also partook; the behaviour of the prisoner now assumed the manly and firm dignity of the assured Christian. He freely communicated to Mr. Dring all the circumstances of his crime; but the particulars of the conversation, so far as they respect his accomplices, were, for obvious reasons, prudently omitted. At Brighton, he said, between five and six guineas were given him, and he was urged to go off, being assured that if he were taken, he would be hung.

On Saturday morning, November 27, this unfortunate man was brought out of the goal of Newgate, to proceed to undergo the last extremity of his sentence at the Docks at Wapping.

On leaving the prison to get into the mourning cart which was to convey him to the place of execution, he in the most gratefully pathetic manner returned his acknowledgments to Mr. Kirby, for his many kind attentions and indulgences to him since his condemnation.

He was conducted from Newgate, by Ludgate Hill and St. Paul's, into Cheapside. A number of peace-officers on horseback were at the head of the melancholy procession. Some officers belonging to the Court of Admiralty, with the City Marshals, followed next. The Sheriffs were in a coach, as was also the Ordinary of Newgate, the Rev. Dr. Ford.—The unfortunate criminal was in a cart, with a rope fastened round his neck and shoulders. He sat between the executioner and his assistant.

He





Waddelstein

Page sculpt

( ) A PIRATE hanged at Execution Dock.





He wore a blue coat, a white waistcoat, buff-coloured velvet breeches, and white cotton stockings. He seemed a well-built figure, rising somewhat above the middle size, in the very prime of his strength; and, perhaps, about 35 or 36 years of age. As he passed down Cheapside, Cornhill, Leadenhall Street, and onward through Aldgate and Ratcliffe Highway, he continued to read the accustomed prayers with great devotion, in which he was joined by those who sat with him in the cart. His behaviour was in the most striking degree, decent and manly.—His looks wore a composure very different from that of the insensibility of intoxication of false hopes, or of brutish stupidity or indifference. There was in his countenance an expression of intelligence, firmness, and resignation, which shewed that he had in him, during that awful hour, all the fortitude and all the feeling of a man. The obstructions by the different turnings in the way, and by the concourse of people filling every passage, did not seem to disturb the settled firmness of his mind. As the procession drew near to the scene of execution, the difficulties of the passage became continually greater, so that it was hardly possible for the Peace Officers to clear the way. At the entrance towards the dock, it became necessary that the criminal should be removed out of the cart, to walk to the scaffold, which was yet at some distance. He descended from the cart with the assistance of those who were beside him. After coming down, he stood as erect as the confinement of his shoulders and arms would allow. His looks still wore an air of unchanged firmness. He walked on with a steady step, and was even observed, by  
some

some gentlemen, to chuse the least dirty paths, so as to avoid bemiring his legs, while he went on. He ascended the ladder to the scaffold without betraying any emotions of terror. On the scaffold he joined in prayers with the clergyman, who was there in attendance for two or three minutes. During this awful scene, his deportment was remarkably serene. He repeatedly declared that he forgave his associates. He confessed the justice of his sentence, and begged the Ordinary to accept his most grateful acknowledgments for his pious and friendly admonitions, by the assistance of which he died in peace with all mankind, and in the most implicit belief of the forgiveness of the Almighty. He shook the clergyman's hand in taking farewell, with somewhat of a convulsive grasp. A cap was put on his head—he drew it with his own hands over his eyes. The board, upon a signal from the sheriff, who sat in an opposite window, was soon after dropped from under his feet. In two or three minutes he appeared to expire without a struggle. His body, after hanging for the due length of time, was cut down, and carried away in a boat by his friends. An immense concourse of people attended his progress from the goal to the place of execution; it continually augmented while he proceeded. When he reached the scaffold, the whole neighbourhood to a considerable distance was filled with one throng, all the decks of the ships round the dock, and a multitude of boats on the river, were equally crowded with spectators.

The solemnity on the occasion seemed to make a due impression on the mob.

# A CORRECT INDEX:

Including A List of all the capital *Convictions* at the *Old Bailey*, &c. since the Commencement of the Eighteenth Century to the present Time: which will be of the highest Use to refer to on many Occasions—together with the *Volumes* and *Pages* in which they occur in this Work.

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